

the records pertaining to all oil properties; prohibiting the refusal to permit such governmental agency to have access to all oil properties for inspection and examination and prohibiting any person from interfering with such inspection and examination, and prohibiting the removal, tampering with, mutilation, or destruction of any device, seal, or meter placed on such oil property or used in such inspection and examination by such governmental agency; prohibiting the equipment or enclosure of oil property or any part, in such manner as to prevent such inspection and examination, and to prevent such inspection and examination from revealing the true facts with respect to the manner of producing, storing, or delivering oil from such property; providing for identifying, by posted signs in the English language, of all oil properties, oil tanks, and flares; providing for the burning of flares to prevent the escape in open air of gas while the well producing oil and gas is being produced; providing it shall be unlawful for any person owning, leasing, operating, producing, or controlling any oil property, to produce oil in excess of the amount allowed to be produced per day under any order of the governmental agency, in force at the time; providing it shall be unlawful for any person to corruptly give, offer, or promise to give any member of the governmental agency, chief supervisor, deputy supervisor, or any agent or employee thereof any gift or gratuity with intent to influence any such officer or person; providing for the adoption, promulgation, amendment, repeal, alteration, and modification, and the publication of notice of rules and regulations by the governmental agency, to provide methods and devices for measuring production of oil and gas, and for inspection of oil properties and measuring devices, and the measurement before surrendering possession thereof, and for the installation and use of flares, and for the keeping of records and the furnishing of reports and for inspection and examination by such agency of such oil properties and records; providing for the admissibility in evidence of certificates from such governmental agency of the adoption and terms of any such rule, regulation, or order, and that such certificates shall be prima facie evidence of all

facts disclosed in such certificates; providing for the contents of records and reports, and providing that the governmental agency may prescribe the form thereof; providing that the provisions of this Act with respect to its provisions and remedies shall be cumulative of all other laws; defining 'offenses' under this Act and providing penalties; providing for jurisdiction in the courts of the counties where the property or any part thereof is situated with respect to which property an offense under this Act is charged; and providing for the service of process in all suits or actions involving enforcement of the conservation laws or the orders of the Railroad Commission by authorizing all Texas Rangers and all agents of the Commission to serve any civil or judicial process as effectively as a sheriff or constable of a county could within the limits of his own county; and providing for the execution of such process anywhere within the State of Texas and for the making of a return by such Ranger or agent; and providing that no fees shall be allowed such Rangers or agents other than their regular salary or compensation; declaring the legislative intent to enact each provision hereof independently of the others, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

GOOD, Acting Chairman.

Committee Room,  
Austin, Texas, May 24, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 98, Authorizing the  
Enrolling Clerk to amend the caption  
of House Bill No. 459 to conform to  
the changes made in the body of the  
bill,

Has carefully compared same, and  
finds it correctly enrolled.

MORRISON, Vice-Chairman.

# SIXTY-NINTH DAY

(Thursday, May 25, 1933)

The House met at 9:30 o'clock a. m.,  
pursuant to adjournment, and was  
called to order by Speaker Stevenson.

The roll was called, and the follow-  
ing Members were present:

Adamson.	Jefferson.
Aikin.	Johnson
Alexander.	of Anderson.
Alsup.	Jones of Atascosa.
Anderson	Jones of Runnels.
of Bexar.	Jones of Shelby.
Baker.	Kayton.
Barrett.	Kyle of Hays.
Barron.	Kyle of Palo Pinto.
Beck.	Laird.
Bedford.	Latham.
Bourne.	Leonard.
Bradley.	Lindsey.
Burns.	Lotief.
Butler.	Mackay.
Calvert.	Magee.
Camp.	McClain.
Canon.	McCullough.
Cathey.	McGregor.
Caven.	McKee.
Celaya.	Merritt.
Chastain.	Metcalf.
Clayton.	Mitcham.
Colson.	Moffett.
Coombes.	Moore.
Cowley.	Morrison.
Crossley.	Morse.
Daniel.	Munson.
Davidson.	Nicholson.
Dean.	Palmer.
Devall.	Parkhouse.
Dunlap.	Patterson.
Dunagan.	Pavlica.
Dwyer.	Pope.
Engelhard.	Puryear.
Fain.	Ramsey.
Few.	Ratliff.
Ford.	Ray.
Fuchs.	Reed of Bowie.
Glass.	Reed of Dallas.
Golson.	Renfro.
Good.	Riddle.
Goodman.	Roberts.
Graves.	Rogers of Hunt.
Greathouse.	Rogers
Griffith.	of Ochiltree.
Haag.	Rollins.
Hankamer.	Ross.
Harman.	Russell.
Harris.	Savage.
Harrison.	Scarborough.
Hartzog.	Scott.
Head.	Shannon.
Hester.	Shults.
Hicks.	Smith.
Hill of Brazoria.	Stanfield.
Hodges.	Steward.
Holekamp.	Stinson.
Holland.	Stovall.
Holloway.	Sullivant.
Hoskins.	Tarwater.
Huddleston.	Tennyson.
Hughes.	Thomas.
Hunt.	Tillery.
Hyder.	Townsend.
Jackson.	Turlington.
James.	Van Zandt.

Vaughan.	Wells.
Wagstaff.	Winningham.
Walker.	Wood.
Weinert.	Young.

Absent

Duvall. Long.

Absent—Excused

Anderson	Lemens.
of Johnson.	Mathis.
Fisher.	McDougald.
Hill of Webb.	Reader.
Johnson of Dimmit.	

A quorum was announced present.  
Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

## LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Anderson of Johnson for yesterday and today, on motion of Mr. Wells.

Mr. Mathis for today and the balance of the session, on motion of Mr. Moore.

Mr. McDougald for today and the balance of the session, on motion of Mr. Parkhouse.

The following Members were granted leaves of absence on account of illness:

Mr. Hunt for today, on motion of Mr. Griffith.

Mr. Johnson of Dimmit for today and indefinitely, on motion of Mr. Ford.

## NOTICES GIVEN

Mr. Daniel gave notice that he would, on the next legislative day, call up the motion to reconsider the vote by which House Bill No. 35 failed to pass to engrossment, which motion to reconsider was heretofore spread on the Journal.

Mr. Bradley gave notice that he would, on the next legislative day, call up, for consideration at that time, the motion to reconsider the vote by which the motion that House Bill No. 888 be printed on the minority report was lost, which motion to reconsider was heretofore spread on the Journal.

## RELATIVE TO THE CONSIDERATION OF RESOLUTIONS

On motion of Mr. Walker, the House dispensed with the consideration of resolutions at this time.

**MOTION TO LAY HOUSE BILL  
NO. 84 ON TABLE SUBJECT  
TO CALL**

Mr. Reed of Bowie moved that House Bill No. 84 be laid on the table subject to call.

The motion was lost.

**SENATE BILL NO. 357 ON THIRD  
READING**

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 357, A bill to be entitled "An Act to permit the Commissioners Court of Rains County, Texas, to use all or any part of interest collected on notes held by said County of Rains against Rains County school land in Hockley County, Texas, to protect said property as to taxes, and pay attorneys' fees, etc., in case of foreclosure; and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—105

Adamson.	Hester.
Aikin.	Hicks.
Alexander.	Hodges.
Alsup.	Holekamp.
Baker.	Hoskins.
Barrett.	Huddleston.
Bedford.	Hughes.
Bourne.	Hyder.
Bradley.	James.
Burns.	Jefferson.
Canon.	Johnson
Cathey.	of Anderson.
Celaya.	Jones of Atascosa.
Chastain.	Jones of Runnels.
Clayton.	Jones of Shelby.
Coombes.	Kyle of Hays.
Cowley.	Kyle of Palo Pinto.
Crossley.	Lindsey.
Daniel.	Lotief.
Davidson.	Mackay.
Dean.	Magee.
Dunlap.	McClain.
Dunagan.	McCullough.
Dwyer.	McGregor.
Fain.	Merritt.
Few.	Metcalf.
Ford.	Mitcham.
Fuchs.	Moffett.
Golson.	Moore.
Good.	Morrison.
Goodman.	Morse.
Graves.	Munson.
Griffith.	Nicholson.
Hankamer.	Palmer.
Harman.	Parkhouse.
Harris.	Pavlica.
Head.	Puryear.

Ratliff.	Steward.
Ray.	Stinson.
Reed of Bowie.	Stovall.
Reed of Dallas.	Sullivant.
Renfro.	Tarwater.
Roberts.	Tennyson.
Rogers of Hunt.	Thomas.
Rollins.	Tillery.
Ross.	Townsend.
Russell.	Turlington.
Savage.	Vaughan.
Scarborough.	Wagstaff.
Scott.	Walker.
Shannon.	Weinert.
Shults.	Winningham.
Smith.	Young.

Nays—2

Glass.

Haag.

Present—Not Voting

McKee.

Absent

Anderson	Hunt.
of Bexar.	Jackson.
Barron.	Kayton.
Beck.	Laird.
Butler.	Latham.
Calvert.	Leonard.
Camp.	Long.
Caven.	Patterson.
Devall.	Pope.
Duvall.	Ramsey.
Engelhard.	Riddle.
Greathouse.	Rogers
Harrison.	of Ochiltree.
Hartzog.	Stanfield.
Hill of Brazoria.	Van Zandt.
Holland.	Wells.
Holloway.	Wood.

Absent—Excused

Anderson	Johnson
of Johnson.	of Dimmit.
Colson.	Lemens.
Fisher.	Mathis.
Hill of Webb.	McDougald.
	Reader.

**SENATE BILL NO. 4 ON THIRD  
READING**

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 4, A bill to be entitled "An Act to amend Article 5006, of the Revised Civil Statutes of Texas of 1925, so as to include the bonds or other interest-bearing evidence of indebtedness of navigation districts among those in which insurance companies are authorized to invest their funds; and declaring an emergency."

The bill was read third time, and was passed by the following vote:

## Yeas—107

Adamson.	Kyle of Hays.
Aikin.	Kyle of Palo Pinto.
Alexander.	Lindsey.
Alsup.	Lotief.
Baker.	Mackay.
Barrett.	Magee.
Beck.	McClain.
Bourne.	McCullough.
Bradley.	McKee.
Burns.	Merritt.
Butler.	Metcalfe.
Canon.	Mitcham.
Cathey.	Moffett.
Celaya.	Moore.
Chastain.	Morrison.
Clayton.	Morse.
Coombes.	Munson.
Cowley.	Nicholson.
Crossley.	Palmer.
Daniel.	Parkhouse.
Davidson.	Patterson.
Dean.	Pavlica.
Dunagan.	Puryear.
Dwyer.	Ratliff.
Engelhard.	Ray.
Fain.	Reed of Bowie.
Few.	Reed of Dallas.
Ford.	Renfro.
Fuchs.	Roberts.
Glass.	Rogers of Hunt.
Golson.	Rollins.
Good.	Ross.
Goodman.	Russell.
Graves.	Savage.
Haag.	Scarborough.
Hankamer.	Scott.
Harman.	Shannon.
Head.	Shults.
Hester.	Smith.
Hicks.	Steward.
Hodges.	Stinson.
Holekamp.	Stovall.
Holland.	Sullivant.
Holloway.	Tarwater.
Hoskins.	Tennyson.
Huddleston.	Tillery.
Hughes.	Townsend.
Hyder.	Turlington.
James.	Vaughan.
Johnson	Wagstaff.
of Anderson.	Walker.
Jones of Atascosa.	Wells.
Jones of Runnels.	Winningham.
Jones of Shelby.	Young.

## Absent

Anderson	Caven.
of Bexar.	Devall.
Barron.	Dunlap.
Bedford.	Duvall.
Calvert.	Greathouse.
Camp.	Griffith.

Harris.	McGregor.
Harrison.	Pope.
Hartzog.	Ramsey.
Hill of Brazoria.	Riddle.
Hunt.	Rogers
Jackson.	of Ochiltree.
Jefferson.	Stanfield.
Kayton.	Thomas.
Laird.	Van Zandt.
Latham.	Weinert.
Leonard.	Wood.
Long.	

## Absent—Excused

Anderson	Johnson
of Johnson.	of Dimmit.
Colson.	Lemens.
Fisher.	Mathis.
Hill of Webb.	McDougald.
	Reader.

## SENATE BILL NO. 5 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, S. B. No. 5, A bill to be entitled "An Act to amend Article 2029, of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 124, of the Acts of the Regular Session of the Forty-first Legislature of the State of Texas, so as to add navigation districts' bonds to those acceptable for deposit by State depositories; and declaring an emergency."

The bill was read third time, and was passed by the following vote:

## Yeas—102

Adamson.	Fuchs.
Aikin.	Glass.
Alexander.	Golson.
Alsup.	Good.
Baker.	Griffith.
Beck.	Haag.
Bourne.	Hankamer.
Bradley.	Harman.
Burns.	Head.
Butler.	Hester.
Canon.	Hicks.
Cathey.	Hodges.
Celaya.	Holekamp.
Chastain.	Holland.
Clayton.	Hoskins.
Coombes.	Huddleston.
Cowley.	Hughes.
Crossley.	Hyder.
Daniel.	James.
Davidson.	Jefferson.
Dean.	Johnson
Dwyer.	of Anderson.
Engelhard.	Jones of Atascosa.
Fain.	Jones of Runnels.
Few.	Jones of Shelby.
Ford.	Kyle of Hays.

Kyle of Palo Pinto.	Rogers of Hunt.
Lindsey.	Rollins.
Lotief.	Ross.
Mackay.	Russell.
Magee.	Savage.
McClain.	Scarborough.
Merritt.	Scott.
Metcalfe.	Shannon.
Mitcham.	Shults.
Moffett.	Smith.
Moore.	Steward.
Morrison.	Stinson.
Morse.	Stovall.
Munson.	Sullivant.
Nicholson.	Tarwater.
Palmer.	Tennyson.
Parkhouse.	Thomas.
Patterson.	Townsend.
Pavlica.	Turlington.
Puryear.	Vaughan.
Ratliff.	Wagstaff.
Ray.	Walker.
Reed of Bowie.	Wells.
Reed of Dallas.	Winningham.
Renfro.	Young.
Roberts.	

**Absent**

Anderson	Hunt.
of Bexar.	Jackson.
Barrett.	Kayton.
Barron.	Laird.
Bedford.	Latham.
Calvert.	Leonard.
Camp.	Long.
Caven.	McCullough.
Devall.	McGregor.
Dunlap.	McKee.
Dunagan.	Pope.
Duvall.	Ramsey.
Goodman.	Riddle.
Graves.	Rogers
Greathouse.	of Ochiltree.
Harris.	Stanfield.
Harrison.	Tillery.
Hartzog.	Van Zandt.
Hill of Brazoria.	Weinert.
Holloway.	Wood.

**Absent—Excused**

Anderson	Johnson
of Johnson.	of Dimmit.
Colson.	Lemens.
Fisher.	Mathis.
Hill of Webb.	McDougald.
	Reader.

**SENATE BILL NO. 337 ON THIRD READING**

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 337, A bill to be entitled "An Act to authorize the State Highway Commission of Texas to construct, operate, and maintain, out

of funds available for that purpose, highway bridges over and across the intracoastal waterway of Louisiana and Texas; and declaring an emergency."

The bill was read third time, and was passed.

**SENATE BILL NO. 426 ON THIRD READING**

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 426, A bill to be entitled "An Act repealing Chapter 241, of the Special Laws of Texas, passed by the Forty-second Legislature, at its Regular Session, as amended by Chapter 29, of the General and Special Laws of Texas, passed by the Forty-second Legislature, at its First Called Session, to create and establish the San Antonio River Canal and Conservation District, under authority of Section 59, of Article XVI, of the Constitution; and declaring an emergency."

The bill was read third time, and was passed by the following vote:

**Yeas—105**

Adamson.	Hankamer.
Aikin.	Harman.
Alexander.	Harris.
Alsup.	Head.
Baker.	Hicks.
Beck.	Hodges.
Bedford.	Holekamp.
Bourne.	Holland.
Bradley.	Hoskins.
Burns.	Huddleston.
Butler.	Hughes.
Canon.	Hyder.
Cathey.	James.
Chastain.	Jefferson.
Clayton.	Johnson
Coombes.	of Anderson.
Cowley.	Jones of Atascosa.
Daniel.	Jones of Runnels.
Davidson.	Jones of Shelby.
Dean.	Kyle of Hays.
Dunlap.	Kyle of Palo Pinto.
Dunagan.	Laird.
Dwyer.	Lindsey.
Engelhard.	Lotief.
Fain.	Mackay.
Few.	Magee.
Ford.	McClain.
Fuchs.	Merritt.
Glass.	Metcalfe.
Golson.	Mitcham.
Good.	Moffett.
Graves.	Moore.
Griffith.	Morrison.
Haag.	Morse.

Munson.	Scott.
Nicholson.	Shannon.
Palmer.	Shults.
Parkhouse.	Smith.
Patterson.	Steward.
Pavlica.	Stinson.
Puryear.	Stovall.
Ratliff.	Sullivant.
Ray.	Tarwater.
Reed of Bowie.	Tennyson.
Reed of Dallas.	Townsend.
Renfro.	Turlington.
Roberts.	Vaughan.
Rogers of Hunt.	Wagstaff.
Rollins.	Walker.
Ross.	Weinert.
Russell.	Wells.
Savage.	Winningham.
Scarborough.	Young.

## Present—Not Voting

McKee.

## Absent

Anderson	Hunt.
of Bexar.	Jackson.
Barrett.	Kayton.
Barron.	Latham.
Calvert.	Leonard.
Camp.	Long.
Caven.	McCullough.
Celaya.	McGregor.
Crossley.	Pope.
Devall.	Ramsey.
Duvall.	Riddle.
Goodman.	Rogers
Greathouse.	of Ochiltree.
Harrison.	Stanfield.
Hartzog.	Thomas.
Hester.	Tillery.
Hill of Brazoria.	Van Zandt.
Holloway.	Wood.

## Absent—Excused

Anderson	Johnson
of Johnson.	of Dimmit.
Colson.	Lemens.
Fisher.	Mathis.
Hill of Webb.	McDougald.
	Reader.

SENATE BILL NO. 434 ON THIRD  
READING

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 434, A bill to be entitled "An Act to amend Article 1302, Title 32, of the Revised Civil Statutes of Texas of 1925, providing additional purposes for which corporations may be formed under the laws of the State of Texas."

The bill was read third time, and was passed by the following vote:

## Yeas—104

Adamson.	Jones of Runnels.
Aikin.	Jones of Shelby.
Alexander.	Kayton.
Alsup.	Kyle of Hays.
Baker.	Kyle of Palo Pinto.
Beck.	Laird.
Bedford.	Leonard.
Bourne.	Lindsey.
Bradley.	Mackay.
Burns.	Magee.
Butler.	McClain.
Canon.	McKee.
Cathey.	Merritt.
Chastain.	Metcalfe.
Clayton.	Mitcham.
Coombes.	Moffett.
Cowley.	Morrison.
Crossley.	Morse.
Daniel.	Munson.
Davidson.	Nicholson.
Dean.	Palmer.
Dunlap.	Parkhouse.
Dunagan.	Pavlica.
Engelhard.	Puryear.
Fain.	Ratliff.
Few.	Ray.
Ford.	Reed of Bowie.
Fuchs.	Reed of Dallas.
Glass.	Renfro.
Golson.	Rogers of Hunt.
Good.	Rollins.
Goodman.	Ross.
Graves.	Russell.
Griffith.	Savage.
Haag.	Scarborough.
Hankamer.	Scott.
Harman.	Shannon.
Harris.	Shults.
Head.	Smith.
Hester.	Steward.
Hicks.	Stovall.
Hodges.	Tennyson.
Holekamp.	Thomas.
Holland.	Tillery.
Hoskins.	Turlington.
Huddleston.	Vaughan.
Hughes.	Wagstaff.
Hyder.	Walker.
James.	Weinert.
Jefferson.	Wells.
Johnson	Winningham.
of Anderson.	Young.
Jones of Atascosa.	

## Absent

Anderson	Duvall.
of Bexar.	Dwyer.
Barrett.	Greathouse.
Barron.	Harrison.
Calvert.	Hartzog.
Camp.	Hill of Brazoria.
Caven.	Holloway.
Celaya.	Hunt.
Devall.	Jackson.

Latham.	Roberts.
Long.	Rogers
Lotief.	of Ochiltree.
McCullough.	Stanfield.
McGregor.	Stinson.
Moore.	Sullivant.
Patterson.	Tarwater.
Pope.	Townsend.
Ramsey.	Van Zandt.
Riddle.	Wood.

## Absent—Excused

Anderson	Johnson
of Johnson.	of Dimmit.
Colson.	Lemens.
Fisher.	Mathis.
Hill of Webb.	McDougald.
	Reader.

## SENATE BILL NO. 478 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, S. B. No. 478, A bill to be entitled "An Act to amend Articles 1670 and 1673, of the Revised Civil Statutes of the State of Texas, 1925, which Articles relate to the prescription of a system and the forms to be used for receipts and disbursements of navigation districts, and the method of appointment and payment of assistants to the county auditor in counties of more than 330,000 population, having a navigation district or other improvement districts, in cases in which said assistants are required for services in auditing the accounts of such districts; and declaring an emergency."

The bill was read third time, and was passed by the following vote:

## Yeas—106

Adamson.	Dunlap.
Aikin.	Dunagan.
Alexander.	Engelhard.
Alsup.	Fain.
Baker.	Few.
Barrett.	Ford.
Beck.	Fuchs.
Bedford.	Glass.
Bourne.	Golson.
Bradley.	Good.
Burns.	Graves.
Butler.	Griffith.
Canon.	Haag.
Cathey.	Hankamer.
Chastain.	Harman.
Clayton.	Head.
Cowley.	Hester.
Crossley.	Hicks.
Daniel.	Hodges.
Davidson.	Holekamp.
Dean.	Holland.

Hoskins.	Ray.
Huddleston.	Reed of Bowie.
Hughes.	Reed of Dallas.
Hyder.	Renfro.
James.	Riddle.
Jefferson.	Rogers of Hunt.
Johnson	Rollins.
of Anderson.	Ross.
Jones of Atascosa.	Russell.
Jones of Runnels.	Savage.
Jones of Shelby.	Scarborough.
Kayton.	Scott.
Kyle of Hays.	Shannon.
Kyle of Palo Pinto.	Shults.
Laird.	Smith.
Leonard.	Stanfield.
Lindsey.	Steward.
Lotief.	Stinson.
Magee.	Stovall.
McKee.	Sullivant.
Merritt.	Tarwater.
Metcalf.	Tennyson.
Mitcham.	Thomas.
Moffett.	Tillery.
Moore.	Townsend.
Morrison.	Turlington.
Morse.	Vaughan.
Munson.	Wagstaff.
Nicholson.	Weinert.
Parkhouse.	Wells.
Pavlica.	Winningham.
Puryear.	Young.
Ratliff.	

## Absent

Anderson	Hunt.
of Bexar.	Jackson.
Barron.	Latham.
Calvert.	Long.
Camp.	Mackay.
Caven.	McClain.
Celaya.	McCullough.
Coombes.	McGregor.
Devall.	Palmer.
Duvall.	Patterson.
Dwyer.	Pope.
Goodman.	Ramsey.
Greathouse.	Roberts.
Harris.	Rogers
Harrison.	of Ochiltree.
Hartzog.	Van Zandt.
Hill of Brazoria.	Walker.
Holloway.	Wood.

## Absent—Excused

Anderson	Johnson
of Johnson.	of Dimmit.
Colson.	Lemens.
Fisher.	Mathis.
Hill of Webb.	McDougald.
	Reader.

## SENATE BILL NO. 492 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 492, A bill to be entitled "An Act to amend Chapter 2, Title 78, Revised Civil Statutes of 1925, permitting the organization of fraternal benefit societies on a limited basis; providing the requirements that must be met before permit shall be issued to such society by the Insurance Department of the State of Texas; providing that a society, organized under this provision, shall be subject to all the provisions of Chapter 8, that are applicable; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—104

Adamson.	Jefferson.
Aikin.	Johnson
Alexander.	of Anderson.
Alsup.	Jones of Atascosa.
Baker.	Jones of Runnels.
Barrett.	Jones of Shelby.
Beck.	Kayton.
Bedford.	Kyle of Hays.
Bourne.	Kyle of Palo Pinto.
Bradley.	Laird.
Burns.	Lindsey.
Butler.	Lotief.
Canon.	Mackay.
Cathey.	Magee.
Chastain.	McKee.
Clayton.	Merritt.
Coombes.	Metcalf.
Cowley.	Mitcham.
Crossley.	Moffett.
Daniel.	Moore.
Davidson.	Morrison.
Dunagan.	Morse.
Engelhard.	Munson.
Fain.	Nicholson.
Few.	Palmer.
Ford.	Parkhouse.
Fuchs.	Patterson.
Glass.	Pavlica.
Golson.	Purveyar.
Good.	Ratliff.
Graves.	Ray.
Griffith.	Reed of Bowie.
Haag.	Reed of Dallas.
Hankamer.	Renfro.
Harman.	Riddle.
Head.	Rogers of Hunt.
Hester.	Rollins.
Hicks.	Ross.
Holekamp.	Russell.
Holland.	Savage.
Hoskins.	Scarborough.
Huddleston.	Scott.
Hughes.	Shannon.
Hyder.	Shults.
James.	Smith.

Steward.	Van Zandt.
Stinson.	Vaughan.
Stovall.	Wagstaff.
Sullivant.	Walker.
Tennyson.	Weinert.
Thomas.	Wells.
Townsend.	Winningham.
Turlington.	

Present—Not Voting

Calvert.	Dean.
----------	-------

Absent

Anderson	Hunt.
of Bexar.	Jackson.
Barron.	Latham.
Camp.	Leonard.
Caven.	Long.
Celaya.	McClain.
Devall.	McCullough.
Dunlap.	McGregor.
Duvall.	Pope.
Dwyer.	Ramsey.
Goodman.	Roberts.
Greathouse.	Rogers
Harris.	of Ochiltree.
Harrison.	Stanfield.
Hartzog.	Tarwater.
Hill of Brazoria.	Tillery.
Hodges.	Wood.
Holloway.	Young.

Absent—Excused

Anderson	Johnson
of Johnson.	of Dimmit.
Colson.	Lemens.
Fisher.	Mathis.
Hill of Webb.	McDougald.
	Reader.

#### SENATE BILL NO. 515 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 515, A bill to be entitled "An Act to amend Article 955, Penal Code, as amended by Chapter 257, General and Special Laws, Regular Session, Forty-first Legislature, as amended by Chapter 304, General Laws, passed at the Regular Session of the Forty-second Legislature, prohibiting the sale of fish taken from fresh-water streams of certain named counties, providing means and method of taking and possessing fish from fresh-water streams of said counties; defining offenses and prescribing the penalty for violation thereof; and omitting Bell County from the list of said counties; and declaring an emergency."



The bill was read third time, and was passed by the following vote:

## Yeas—112

Adamson.	Kyle of Palo Pinto.
Aikin.	Leonard.
Alexander.	Lindsey.
Alsup.	Lotief.
Baker.	Mackay.
Barrett.	Magee.
Barron.	McCullough.
Beck.	McGregor.
Bedford.	McKee.
Bourne.	Merritt.
Bradley.	Metcalfe.
Burns.	Mitcham.
Butler.	Moffett.
Calvert.	Moore.
Canon.	Morrison.
Cathey.	Morse.
Chastain.	Munson.
Coombes.	Nicholson.
Cowley.	Parkhouse.
Crossley.	Patterson.
Daniel.	Pavlica.
Davidson.	Puryear.
Dean.	Ratliff.
Lunagan.	Ray.
Dwyer.	Reed of Bowie.
Engelhard.	Reed of Dallas.
Fain.	Renfro.
Few.	Riddle.
Ford.	Roberts.
Fuchs.	Rogers of Hunt.
Glass.	Rollins.
Golson.	Ross.
Good.	Russell.
Graves.	Savage.
Griffith.	Scarborough.
Haag.	Scott.
Hankamer.	Shults.
Harman.	Smith.
Head.	Steward.
Hester.	Stinson.
Hicks.	Stovall.
Hodges.	Sullivan.
Holekamp.	Tarwater.
Holland.	Tennyson.
Hoskins.	Thomas.
Huddleston.	Tillery.
Hughes.	Townsend.
Hyder.	Turlington.
James.	Van Zandt.
Jefferson.	Vaughan.
Johnson	Wagstaff.
of Anderson.	Walker.
Jones of Atascosa.	Weinert.
Jones of Runnels.	Wells.
Jones of Shelby.	Winningham.
Kayton.	Young.
Kyle of Hays.	

## Absent

Anderson	Camp.
of Bexar.	Caven.

Celaya.	Jackson.
Clayton.	Laird.
Devall.	Latham.
Dunlap.	Long.
Duvall.	McClain.
Goodman.	Palmer.
Greathouse.	Pope.
Harris.	Ramsey.
Harrison.	Rogers
Hartzog.	of Ochiltree.
Hill of Brazoria.	Shannon.
Holloway.	Stanfield.
Hunt.	Wood.

## Absent—Excused

Anderson	Johnson
of Johnson.	of Dimmit.
Colson.	Lemens.
Fisher.	Mathis.
Hill of Webb.	McDougald.
	Reader.

## SENATE BILL NO. 531 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 531, A bill to be entitled "An Act amending Article 6674-n, Revised Civil Statutes of 1925, as amended by Chapter 10, Acts of the Third Called Session of the Forty-first Legislature, and Chapter 79, Acts of the Fifth Called Session of the Forty-first Legislature, so as to authorize the State Highway Commission, or the commissioners court, to condemn land not more than 100 feet in width for stream-bed diversion, in connection with the locating, relocating, or construction of a designated State highway; and declaring an emergency."

The bill was read third time, and was passed by the following vote:

## Yeas—106

Adamson.	Cathey.
Aikin.	Clayton.
Alexander.	Coombes.
Alsup.	Cowley.
Anderson	Crossley.
of Bexar.	Daniel.
Baker.	Dunagan.
Barrett.	Dwyer.
Beck.	Engelhard.
Bedford.	Fain.
Bourne.	Few.
Bradley.	Fuchs.
Burns.	Glass.
Butler.	Golson.
Calvert.	Good.
Camp.	Graves.
Canon.	Griffith.

Haag.	Moore.
Hankamer.	Morrison.
Harman.	Munson.
Harris.	Nicholson.
Harrison.	Palmer.
Hester.	Parkhouse.
Hill of Brazoria.	Ramsey.
Holekamp.	Ratliff.
Holland.	Ray.
Hoskins.	Reed of Dallas.
Huddleston.	Renfro.
Hughes.	Riddle.
Hunt.	Roberts.
Hyder.	Rogers of Hunt.
James.	Rollins.
Jefferson.	Ross.
Johnson	Russell.
of Anderson.	Savage.
Jones of Atascosa.	Scarborough.
Jones of Runnels.	Scott.
Jones of Shelby.	Shults.
Kyle of Hays.	Smith.
Kyle of Palo Pinto.	Stanfield.
Laird.	Steward.
Latham.	Stinson.
Leonard.	Stovall.
Lindsey.	Tarwater.
Lotief.	Thomas.
Mackay.	Townsend.
Magee.	Turlington.
McClain.	Van Zandt.
McCullough.	Vaughan.
McGregor.	Wagstaff.
McKee.	Walker.
Merritt.	Weinert.
Metcalfe.	Wells.
Moffett.	Wood.

## Nays—3

Hicks.	Reed of Bowie.
Mitcham.	

## Present—Not Voting

Puryear.

## Absent

Barron.	Jackson.
Caven.	Kayton.
Celaya.	Long.
Chastain.	Morse.
Davidson.	Patterson.
Dean.	Pavlica.
Devall.	Pope.
Dunlap.	Rogers
Duvall.	of Ochiltree.
Ford.	Shannon.
Goodman.	Sullivant.
Greathouse.	Tennyson.
Hartzog.	Tillery.
Head.	Winningham.
Hodges.	Young.
Holloway.	

## Absent—Excused

Anderson	Colson.
of Johnson.	Fisher.

Hill of Webb.	Mathis.
Johnson	McDougald.
of Dimmit.	Reader.
Lemens.	

## SENATE BILL NO. 542 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 542, A bill to be entitled "An Act providing for the formation of a county-wide common school district in Kinney County on majority vote of the qualified votes of said County; for the abolition of existing school districts therein; for the election of trustees of said county-wide district; authorizing the levy, assessment and collection of taxes, and elections therefor; prescribing powers and duties of such trustees; enacting other incidental provisions; and declaring an emergency."

The bill was read third time, and was passed by the following vote:

## Yeas—108

Adamson.	Haag.
Aikin.	Hankamer.
Alexander.	Hicks.
Alsup.	Hill of Brazoria.
Anderson	Hodges.
of Bexar.	Holekamp.
Baker.	Holland.
Beck.	Hoskins.
Bedford.	Huddleston.
Bourne.	Hughes.
Bradley.	Hyder.
Burns.	James.
Butler.	Jefferson.
Calvert.	Johnson
Camp.	of Anderson.
Canon.	Jones of Atascosa.
Cathey.	Jones of Runnels.
Chastain.	Jones of Shelby.
Clayton.	Kyle of Hays.
Cowley.	Kyle of Palo Pinto.
Crossley.	Laird.
Daniel.	Latham.
Davidson.	Lindsey.
Dean.	Lotief.
Dunagan.	Mackay.
Dwyer.	Magee.
Engelhard.	McClain.
Fain.	McCullough.
Few.	McGregor.
Fuchs.	Merritt.
Glass.	Metcalfe.
Golson.	Mitcham.
Good.	Moffett.
Goodman.	Moore.
Graves.	Morrison.
Griffith.	Morse.

Nicholson.	Shannon.
Palmer.	Smith.
Parkhouse.	Stanfield.
Pavlica.	Steward.
Puryear.	Stinson.
Ramsey.	Stovall.
Ratliff.	Sullivant.
Reed of Bowie.	Tarwater.
Reed of Dallas.	Tennyson.
Renfro.	Thomas.
Riddle.	Townsend.
Roberts.	Turlington.
Rogers of Hunt.	Vaughan.
Rollins.	Wagstaff.
Ross.	Walker.
Russell.	Weinert.
Savage.	Wells.
Scarborough.	Winningham.
Scott.	Wood.

## Absent

Barrett.	Hunt.
Barron.	Jackson.
Caven.	Kayton.
Celaya.	Leonard.
Coombes.	Long.
Devall.	McKee.
Dunlap.	Munson.
Duvall.	Patterson.
Ford.	Pope.
Greathouse.	Ray.
Harman.	Rogers
Harris.	of Ochiltree.
Harrison.	Shults.
Hartzog.	Tillery.
Head.	Van Zandt.
Hester.	Young.
Holloway.	

## Absent—Excused

Anderson	Johnson
of Johnson.	of Dimmit.
Colson.	Lemens.
Fisher.	Mathis.
Hill of Webb.	McDougald.
	Reader.

## SENATE BILL NO. 559 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, S. B. No. 559, A bill to be entitled "An Act providing that where as a result of improvements made by the Federal Government on lands owned by the State or by any city or county of the State, under the provisions of an Act of Congress approved March 31, 1933, and being entitled 'An Act for the relief of unemployment through the performance of useful public work and other purposes,' there accrues to the State on a sale of said land or its products a profit from the improvements so made, said profits so

resulting from said improvements shall be divided equally between the State and the Federal Government upon certain conditions; exempting from the provisions of this Act lands held by the State or by any county of the State for public free school or University purposes; and declaring an emergency."

The bill was read third time, and was passed by the following vote:

## Yeas—114

Adamson.	Johnson
Aikin.	of Anderson.
Alexander.	Jones of Runnels.
Alsop.	Jones of Shelby.
Anderson	Kyle of Hays.
of Bexar.	Kyle of Palo Pinto.
Baker.	Laird.
Beck.	Latham.
Bedford.	Leonard.
Bourne.	Lindsey.
Bradley.	Lotief.
Burns.	Mackay.
Butler.	Magee.
Canon.	McClain.
Cathey.	McCullough.
Chastain.	McGregor.
Clayton.	McKee.
Coombes.	Merritt.
Cowley.	Metcalfe.
Crossley.	Mitcham.
Daniel.	Moffett.
Davidson.	Moore.
Dean.	Morrison.
Dunagan.	Morse.
Dwyer.	Nicholson.
Engelhard.	Palmer.
Fain.	Parkhouse.
Few.	Patterson.
Fuchs.	Pavlica.
Glass.	Pope.
Golson.	Ramsey.
Good.	Ratliff.
Goodman.	Ray.
Graves.	Reed of Bowie.
Griffith.	Reed of Dallas.
Haag.	Renfro.
Hankamer.	Riddle.
Harris.	Roberts.
Hartzog.	Rogers of Hunt.
Head.	Rollins.
Hester.	Ross.
Hicks.	Russell.
Hodges.	Scarborough.
Holekamp.	Scott.
Holland.	Shannon.
Hoskins.	Shults.
Huddleston.	Steward.
Hughes.	Stinson.
Hunt.	Stovall.
Hyder.	Sullivant.
Jackson.	Tarwater.
James.	Tennyson.
Jefferson.	Thomas.

Townsend.  
Turlington.  
Van Zandt.  
Vaughan.  
Wagstaff.

Walker.  
Weinert.  
Wells.  
Winningham.  
Wood.

## Absent

Barrett.	Holloway.
Barron.	Jones of Atascosa.
Calvert.	Kayton.
Camp.	Long.
Caven.	Munson.
Celaya.	Puryear.
Devall.	Rogers
Dunlap.	of Ochiltree.
Duvall.	Savage.
Ford.	Smith.
Greathouse.	Stanfield.
Harman.	Tillery.
Harrison.	Young.
Hill of Brazoria.	

## Absent—Excused

Anderson	Johnson
of Johnson.	of Dimmit.
Colson.	Lemens.
Fisher.	Mathis.
Hill of Webb.	McDougald.
	Reader.

## SENATE BILL NO. 560 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 560, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas, which levies are unenforceable because of failure of the governing bodies of such respective incorporated cities and towns to make such levy by ordinance, and which are unenforceable because of the failure of such governing bodies to appoint the statutory board of equalization, or where the city council, city commission, or other governing body of such incorporated city or town have acted as a board of equalization in the fixing of the valuation of taxable property for ad valorem taxes within any such incorporated city or town; making this Act applicable only to counties having a population of twelve thousand (12,000) to twelve thousand and five hundred (12,500), according to the last preceding United States Census; and declaring an emergency."

The bill was read third time, and was passed by the following vote:

## Yeas—110

Adamson.	Long.
Aikin.	Lotief.
Alexander.	Mackay.
Anderson	Magee.
of Bexar.	McClain.
Baker.	McCullough.
Barrett.	McGregor.
Beck.	McKee.
Bedford.	Merritt.
Bourne.	Metcalf.
Bradley.	Mitcham.
Burns.	Moffett.
Canon.	Moore.
Cathey.	Morrison.
Chastain.	Morse.
Clayton.	Munson.
Coombes.	Nicholson.
Cowley.	Palmer.
Crossley.	Parkhouse.
Daniel.	Patterson.
Dunagan.	Pavlica.
Dwyer.	Puryear.
Engelhard.	Ramsey.
Fain.	Ratliff.
Few.	Ray.
Fuchs.	Reed of Bowie.
Glass.	Reed of Dallas.
Golson.	Renfro.
Good.	Riddle.
Goodman.	Roberts.
Graves.	Rollins.
Haag.	Ross.
Hankamer.	Russell.
Harrison.	Savage.
Head.	Scarborough.
Hester.	Scott.
Hicks.	Shannon.
Hill of Brazoria.	Shults.
Hodges.	Stanfield.
Holekamp.	Steward.
Holland.	Stinson.
Hoskins.	Stovall.
Huddleston.	Sullivant.
Hughes.	Tarwater.
Hunt.	Tennyson.
Hyder.	Thomas.
Jackson.	Townsend.
James.	Turlington.
Johnson	Van Zandt.
of Anderson.	Vaughan.
Jones of Runnels.	Wagstaff.
Jones of Shelby.	Walker.
Kyle of Hays.	Weinert.
Kyle of Palo Pinto.	Wells.
Latham.	Winningham.
Lindsey.	Wood.

## Absent

Alsup.	Celaya.
Barron.	Davidson.
Butler.	Dean.
Calvert.	Devall.
Camp.	Dunlap.
Caven.	Duvall.

Ford.	Laird.
Greathouse.	Leonard.
Griffith.	Pope.
Harman.	Rogers of Hunt.
Harris.	Rogers
Hartzog.	of Ochiltree.
Holloway.	Smith.
Jefferson.	Tillery.
Jones of Atascosa.	Young.
Kayton.	

## Absent—Excused

Anderson	Johnson
of Johnson.	of Dimmit.
Colson.	Lemens.
Fisher.	Mathis.
Hill of Webb.	McDougald.
	Reader.

## SPECIAL ORDER SET

Mr. Clayton moved that House Bill No. 560 be set as a special order for 10 o'clock a. m., Friday, May 26.

The motion prevailed.

(Mr. Morse in the Chair.)

CONFERENCE COMMITTEE RE-  
PORT ON HOUSE BILL  
NO. 218

Mr. Wagstaff submitted the following conference committee report on House Bill No. 218:

Committee Room,  
Austin, Texas, May 22, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, to whom was referred

H. B. No. 218, A bill to be entitled "An Act authorizing and directing the Commissioner of the General Land Office to ascertain the amount of bonus and rental money due the State of Texas as a result of the execution of oil and gas leases by owners of the soil as agents of the State, under the provisions of the Relinquishment Act, and to determine who owes money to the State under the provisions of said Act, and defining said Act; providing that when the debtors and the amount of indebtedness are ascertained, such debts shall be paid in cash, or in event the Commissioner of the General Land Office finds from the affidavit and proof submitted by the debtor that such debtor is unable to pay in cash, such debt may be settled by paying

one-twentieth thereon in cash and executing an obligation payable to the State for the balance due in twenty equal installments, with interest at 4 per cent per annum; etc.; and declaring an emergency,"

Have had the same under consideration, and we recommend to the Senate and to the House of Representatives that said bill pass in the form attached hereto:

"H. B. No. 218,

## A BILL

## To Be Entitled

An Act authorizing and directing the Commissioner of the General Land Office to ascertain the amount of bonus and rental money due the State of Texas as a result of the execution of oil and gas leases by owners of the soil as agents of the State under the provisions of the Relinquishment Act, and to determine who owes the money to the State under the provisions of said Act, and defining said Act; providing that when the debtors and the amount of indebtedness are ascertained, such debts shall be paid in cash, or in the event the Commissioner of the General Land Office finds from the affidavit that proof submitted by the debtor that such debtor is unable to pay in cash, such debt may be settled by paying one-twentieth thereof in cash and executing an obligation payable to the State for the balance due in twenty equal annual installments with interest at 4 per cent per annum; providing that if an extension of time may not be granted to those unable to pay in cash, that such extensions be granted to all; providing that no lien held by the State shall be released and no liability altered or changed; providing for demand for payment and for settlement within ninety days after demand; providing that no suit shall be brought or maintained to collect money for bonus and rentals under the Relinquishment Act until debtors have had opportunity to comply with the provisions of this Act; providing that all suits for the collection of bonus and rentals must be brought within five years from the effective date of this Act; except suits on obligations given in settlement of

bonus and rentals under the provisions of this Act and except suits wherein it is alleged and proved that the affidavit of inability to pay is false or fraudulent; providing that this Act shall not apply to bonus and rentals on lands that have produced or may be producing on the effective date of this Act, oil or gas in commercial quantities, or to indebtedness due the State accruing subsequent to the effective date of this Act, or for debts due for oil or gas, or for debts due for bonus and rentals where the amount has not been paid to the landowners but held in escrow or suspense; providing that the provisions of this Act shall not apply to obligations of lessees against whom suit was pending on May 22, 1933; providing that if any portion of this Act be held unconstitutional, same shall not affect remaining portions, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. It shall be the duty of the Commissioner of the General Land Office to ascertain and determine, as soon as practicable, the amounts of bonus and rental money due the State, and by whom due, as a result of the execution of oil and gas leases by owners of the soil as agents of the State under the provisions of the Relinquishment Act. The term "Relinquishment Act," as used in this Act, refers to and includes Chapter 81, printed Acts of the Second Called Session of the Thirty-sixth Legislature and the amendment thereof enacted by the First Called Session of the Thirty-seventh Legislature.

Sec. 2. When the Land Commissioner has ascertained and determined the amounts due the State, and by whom due, as in Section 1 of this Act provided, in every case where he finds that the lessee in an oil and gas lease executed by a landowner, under the terms and conditions of the Relinquishment Act is indebted to the State under the terms and provisions of said Relinquishment Act (and in every case where the Land Commissioner finds that a lessor, who executed an oil and gas lease under the terms and provisions of the Relinquishment Act, has received bonus and rental money under such lease and has failed to re-

mit to the State that portion of such bonus and rental money due the State under the terms of said Relinquishment Act, all such indebtedness shall be paid to the State in cash); or if any such lessee or lessor is unable to pay said indebtedness in cash, such lessee or lessor shall file with the Land Commissioner an affidavit to the effect that such debtor is unable to pay such debt in cash. In addition to the affidavit of the debtor, the Land Commissioner may require such additional affidavits or substantiating evidence as he may deem sufficient to establish the true condition of the debtor's financial condition. Upon the filing of such affidavit and additional proof, if required, and the finding of the Land Commissioner that the affidavit speaks the truth, the debtor shall pay one-twentieth ( $1/20$ ) of the debt found to be due in cash and make and execute an obligation to the State for the balance due, which obligation shall provide for the payment of the balance in twenty (20) equal annual payments, the first of which shall be due and payable one year after the date of the obligation, and a similar payment each year thereafter until the twenty (20) deferred annual payments have been made. The obligation shall be in the form of a promissory note and shall bear interest at the rate of four per cent (4%) per annum, and such interest shall be payable annually; principal and interest shall be payable at Austin, Travis County, Texas, and all past due interest and principal shall bear interest at the rate of five per cent (5%) per annum. The note shall provide that failure to pay any installment of principal or interest when due, shall, at the option of the State, to be exercised by the Attorney General, mature the whole amount of said indebtedness and cause same to become then due and payable.

Sec. 3. If the courts should hold that the Legislature may not grant an extension of time in which to pay said debts to those unable to pay in cash without granting the same extension upon like terms and conditions to those who are able to pay, then and in that event, it is the intent and purpose of the Legislature in enacting this law that all debts due the State for bonus and rental money arising from the execution of any oil and gas lease under the provisions of the Relinquishment Act may be paid by the

debtor executing the obligation as provided in Section 2 of this Act.

Sec. 4. Nothing in this Act shall ever be construed as releasing any lien that the State may now have to secure the indebtedness due the State after the same has been ascertained and determined and the obligation executed, nor shall the liability of any party be changed.

Sec. 5. When the amount of indebtedness mentioned in Section 1 of this Act has been ascertained and determined, the Land Commissioner shall make demand upon the debtor for the payment of the amount due, and unless the debtor pays such obligation in cash within ninety (90) days or executes his obligation in lieu thereof as provided in Section 2 within such time, the Attorney General shall take such steps as, in his opinion, are necessary or proper for the immediate collection of such obligation.

Sec. 6. No suit may be instituted or maintained by the State for the collection of any debt due the State for bonus and rental money because of the execution of any oil and gas lease under the provisions of the Relinquishment Act until the Land Commissioner has ascertained the amount of such debt and the debtor has had an opportunity to make affidavit of inability to pay, as provided in this Act; and providing further, that no suit may be instituted or maintained for any debt or alleged debt due the State for bonus and rental money under the Relinquishment Act, unless such suit be instituted within five (5) years from and after the date this Act becomes effective, but this limitation shall not apply to the obligation made to the State as provided in Section 2 of this Act, or to any suit for the collection of such debt where the State, in its petition, alleges that the affidavit of inability to pay made by the debtor is false or fraudulent, and such allegation is established to the satisfaction of the court trying said cause.

Sec. 7. The terms and provisions of this Act shall not apply to any bonus or any rental money derived from a lease on any section or part of a section of land producing oil or gas at the effective date of this Act, or that has heretofore produced oil and/or gas in commercial or paying

quantities, or to any indebtedness due the State which may accrue subsequent to the date this Act becomes effective, or to any debt due the State for bonus or rental where such amount has not been paid to the landowner, but has been placed in escrow or held in suspense by the lessee.

Sec. 8. If any section, clause, provision, or sentence of this Act contained should ever be held to be unconstitutional, such holding shall not affect the remaining portions of this Act, it being the intent of the Legislature that effect shall be given to so much of this Act as may be valid, even if a portion of this Act shall be held invalid.

Sec. 9. The provisions of this Act shall not apply to the obligations of any lessee for the collection of which suit was pending in any court of the State on May 22, 1933.

Sec. 10. The fact that the State does not know the amounts due to it from transactions arising under the so-called Relinquishment Act, nor by whom such indebtedness is due, and the further fact that such indebtedness was inadvertently incurred, and because of the present economic stress and strain the debtors should be allowed time in which to pay this indebtedness, constitutes an emergency and an imperative public necessity that the constitutional rule, that bills shall be read on three several days in each House, shall be suspended, and it is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Respectfully submitted,

REGAN,  
SMALL,  
COLLIE,  
COUSINS,  
WOODRUFF,

On the part of the Senate;

WALKER,  
HAAG,  
NICHOLSON,

On the part of the House.

Mr. Wagstaff moved that the report be adopted.

Mr. McClain and others made the following motion:

We move that the conference committee report to House Bill No. 218 be not adopted.

McCLAIN,  
HUGHES,  
CALVERT,  
GRAVES,  
HEAD,  
ANDERSON of Johnson,  
HOSKINS.

Mr. Chastain moved the previous question on the pending motions, and the main question was ordered.

Question first recurring on the motion by Mr. McClain, yeas and nays were demanded.

The motion was lost by the following vote:

#### Yeas—56

Adamson.	Hunt.
Barrett.	James.
Barron.	Jones of Shelby.
Beck.	Kayton.
Bradley.	Kyle of Hays.
Burns.	Kyle of Palo Pinto.
Calvert.	Laird.
Camp.	Magee.
Canon.	McClain.
Cowley.	Mitcham.
Crossley.	Morse.
Daniel.	Munson.
Davidson.	Parkhouse.
Dunagan.	Puryear.
Fain.	Ray.
Fuchs.	Reed of Bowie.
Goodman.	Reed of Dallas.
Graves.	Riddle.
Harris.	Rogers of Hunt.
Harrison.	Rollins.
Head.	Scarborough.
Hester.	Stinson.
Hicks.	Stovall.
Hodges.	Sullivant.
Holland.	Tillery.
Hoskins.	Van Zandt.
Huddleston.	Vaughan.
Hughes.	Winningham.

#### Nays—63

Aikin.	Colson.
Alexander.	Coombes.
Alsup.	Dean.
Anderson	Dunlap.
of Bexar.	Dwyer.
Baker.	Few.
Bedford.	Ford.
Bourne.	Golson.
Butler.	Good.
Cathey.	Greathouse.
Chastain.	Griffith.
Clayton.	Haag.

Hankamer.	Pavlica.
Hartzog.	Pope.
Hill of Brazoria.	Ramsey.
Holloway.	Renfro.
Jackson.	Roberts.
Johnson	Rogers
of Anderson.	of Ochiltree.
Jones of Atascosa.	Russell.
Jones of Runnels.	Savage.
Latham.	Shults.
Leonard.	Smith.
Lindsey.	Stanfield.
Lotief.	Tarwater.
McCullough.	Tennyson.
McGregor.	Thomas.
Merritt.	Townsend.
Metcalfe.	Wagstaff.
Moffett.	Walker.
Moore.	Weinert.
Nicholson.	Wells.
Patterson.	Young.

#### Present—Not Voting

Glass.	Steward.
Hyder.	Turlington.
Ratliff.	

#### Absent

Caven.	Mackay.
Celaya.	McKee.
Devall.	Morrison.
Duvall.	Palmer.
Engelhard.	Ross.
Harman.	Scott.
Holekamp.	Shannon.
Jefferson.	Wood.
Long.	

#### Absent—Excused

Anderson	Lemens.
of Johnson.	Mathis.
Fisher.	McDougald.
Hill of Webb.	Reader.
Johnson	
of Dimmit.	

#### PAIRED

Mr. Glass (present), who would vote "yea," with Mr. Johnson of Dimmit (absent), who would vote "nay."

Mr. Steward (present), who would vote "nay," with Mr. Mathis (absent), who would vote "yea."

Mr. Hyder (present), who would vote "nay," with Mr. Lemens (absent), who would vote "yea."

Mr. Ratliff (present), who would vote "nay," with Mr. Anderson of Johnson (absent), who would vote "yea."

Question then recurring on the motion by Mr. Wagstaff, that the report



be adopted, it prevailed by the following vote:

## Yeas—68

Aikin.	Latham.
Alexander.	Leonard.
Alsup.	Lindsey.
Anderson of Bexar.	Lotief.
Baker.	Mackay.
Bedford.	McCullough.
Bourne.	McGregor.
Butler.	Merritt.
Cathey.	Metcalf.
Chastain.	Moffett.
Clayton.	Moore.
Colson.	Nicholson.
Coombes.	Patterson.
Dean.	Pavlica.
Dunlap.	Pope.
Dunagan.	Ramsey.
Dwyer.	Renfro.
Few.	Roberts.
Ford.	Rogers of Ochiltree.
Golson.	Russell.
Good.	Savage.
Greathouse.	Shults.
Griffith.	Smith.
Haag.	Stanfield.
Hankamer.	Stovall.
Hartzog.	Tarwater.
Hill of Brazoria.	Tennyson.
Holland.	Thomas.
Holloway.	Townsend.
Jackson.	Wagstaff.
Johnson	Walker.
of Anderson.	Weinert.
Jones of Atascosa.	Wells.
Jones of Runnels.	Young.
Laird.	

## Nays—51

Adamson.	James.
Barrett.	Jones of Shelby.
Barron.	Kayton.
Beck.	Kyle of Hays.
Bradley.	Kyle of Palo Pinto.
Burns.	Magee.
Calvert.	McClain.
Camp.	Mitcham.
Canon.	Munson.
Cowley.	Parkhouse.
Crossley.	Puryear.
Daniel.	Ray.
Fain.	Reed of Bowie.
Fuchs.	Reed of Dallas.
Goodman.	Riddle.
Graves.	Rogers of Hunt.
Harris.	Rollins.
Harrison.	Scarborough.
Head.	Stinson.
Hester.	Sullivant.
Hicks.	Tillery.
Hodges.	Van Zandt.
Hoskins.	Vaughan.
Huddleston.	Winningham.
Hughes.	Wood.
Hunt.	

## Present—Not Voting

Glass.	Steward.
Hyder.	Turlington.
Ratliff.	

## Absent

Caven.	Long.
Celaya.	McKee.
Davidson.	Morrison.
Devall.	Morse.
Duvall.	Palmer.
Engelhard.	Ross.
Harman.	Scott.
Holekamp.	Shannon.
Jefferson.	

## Absent—Excused

Anderson	Lemens.
of Johnson.	Mathis.
Fisher.	McDougald.
Hill of Webb.	Reader.
Johnson of Dimmit.	

## PAIRED

Mr. Glass (present), who would vote "nay," with Mr. Johnson of Dimmit (absent), who would vote "yea."

Mr. Ratliff (present), who would vote "yea," with Mr. Anderson of Johnson (absent), who would vote "nay."

Mr. Steward (present), who would vote "yea," with Mr. Mathis (absent), who would vote "nay."

Mr. Hyder (present), who would vote "yea," with Mr. Lemens (absent), who would vote "nay."

Mr. Wagstaff moved to reconsider the vote by which the report was adopted, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion prevailed by the following vote:

## Yeas—62

Aikin.	Dean.
Alsup.	Dunlap.
Anderson	Dunagan.
of Bexar.	Dwyer.
Baker.	Fain.
Bedford.	Few.
Bourne.	Ford.
Butler.	Golson.
Chastain.	Greathouse.
Clayton.	Hankamer.
Colson.	Hartzog.
Coombes.	Hill of Brazoria.

Holloway.	Pavlica.
Jackson.	Pope.
Johnson	Renfro.
of Anderson.	Roberts.
Jones of Atascosa.	Rogers
Jones of Runnels.	of Ochiltree.
Laird.	Russell.
Latham.	Savage.
Leonard.	Shults.
Lindsey.	Smith.
Lotief.	Stanfield.
Mackay.	Stovall.
McCullough.	Tarwater.
McGregor.	Tennyson.
Merritt.	Townsend.
Metcalfe.	Wagstaff.
Mitcham.	Walker.
Moffett.	Weinert.
Moore.	Wells.
Nicholson.	Young.
Patterson.	

## Nays—45

Adamson.	Hughes.
Barrett.	Hunt.
Barron.	James.
Beck.	Jones of Shelby.
Bradley.	Kyle of Hays.
Burns.	Kyle of Palo Pinto.
Calvert.	Magee.
Camp.	McClain.
Canon.	Munson.
Cowley.	Parkhouse.
Crossley.	Puryear.
Daniel.	Reed of Bowie.
Fuchs.	Reed of Dallas.
Graves.	Riddle.
Harris.	Rogers of Hunt.
Harrison.	Rollins.
Head.	Scarborough.
Hester.	Sullivant.
Hicks.	Tillery.
Hodges.	Van Zandt.
Holland.	Vaughan.
Hoskins.	Winningham.
Huddleston.	

## Present—Not Voting

Glass.	Steward.
Hyder.	Turlington.
Ratliff.	

## Absent

Alexander.	Holekamp.
Cathey.	Jefferson.
Caven.	Kayton.
Celaya.	Long.
Davidson.	McKee.
Devall.	Morrison.
Duvall.	Morse.
Engelhard.	Palmer.
Good.	Ramsey.
Goodman.	Ray.
Griffith.	Ross.
Haag.	Scott.
Harman.	Shannon.

Stinson.	Wood.
Thomas.	

## Absent—Excused

Anderson	Lemens.
of Johnson.	Mathis.
Fisher.	McDougald.
Hill of Webb.	Reader.
Johnson	
of Dimmit.	

## PAIRED

Mr. Hyder (present), who would vote "yea," with Mr. Lemens (absent), who would vote "nay."

Mr. Glass (present), who would vote "nay," with Mr. Johnson of Dimmit (absent), who would vote "yea."

Mr. Ratliff (present), who would vote "yea," with Mr. Anderson of Johnson (absent), who would vote "nay."

Mr. Steward (present), who would vote "yea," with Mr. Mathis (absent), who would vote "nay."

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, May 25, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 570, A bill to be entitled "An Act making an appropriation for the purpose of providing postage, insurance, stamps, and other expenses necessary in performing the duties required of the State Treasurer in the administration of the provisions of Chapter 13, Acts of Third Called Session of the Forty-second Legislature, up to August 31, 1933, to be paid out of interest earned on the daily balances of 'Paying Fund of the Board of County and District Road Indebtedness,' and declaring an emergency."

S. B. No. 214, A bill to be entitled "An Act amending Article 4891, of the Revised Civil Statutes of 1925, as amended by the Acts of the First Called Session of the Forty-first Legislature, Chapter 37, page 84, so as to provide for the use of co-insurance clauses in lightning, windstorm, tornado, or hail insurance without

limitation or restriction except such as may be approved by the Board of Insurance Commissioners.

S. B. No. 569, A bill to be entitled "An Act making an appropriation for the purpose of providing postage, insurance, stamps, and other expenses, necessary in performing the duties required of the State Treasurer in the administration of the provisions of Chapter 13, Acts of Third Called Session of the Forty-second Legislature, during the fiscal years of 1933-1934 and 1934-1935, to be paid out of interest earned on the daily balances of 'Paying Fund of the Board of County and District Road Indebtedness,' and declaring an emergency."

S. B. No. 568, A bill to be entitled "An Act amending Subdivision 31, of Article 199, Title 8, Revised Civil Statutes of Texas of 1925, as amended by Chapter 6, Acts of the Regular Session of the Forty-first Legislature; providing for changing and prescribing times of holding court in the Thirty-first Judicial District of Texas; validating and continuing all processes and writs, bonds, and recognizances, and making them returnable to the terms of court in the several counties in said District as herein fixed; validating the summoning of grand and petit jurors under the present law so as to render them available under the present Act; enacting proper provisions relative to any term of court that may be in session when this Act takes effect; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 562, A bill to be entitled "An Act to amend Acts, 1929, Forty-first Legislature, Second Called Session, page 72, Chapter 42, as amended by Acts, 1931, Forty-second Legislature, page 507, Chapter 282, so as to require that all commercial motor vehicles and motor busses above a certain weight-carrying capacity when stopped upon the public highways at night shall place warning signals; providing a penalty for violation; and declaring an emergency."

S. B. No. 539, A bill to be entitled "An Act providing that the Texas Prison Board shall have the power to insure the officers and employees of the Texas Prison System against

liability to third persons arising from and out of the use and operation of automobiles, motor trucks, and other motor vehicles used by the Texas Prison System for purposes legitimately connected with the operation of the Texas Prison System; validating policies heretofore subscribed by the Texas Prison Board for such purposes; and declaring an emergency."

S. B. No. 543, A bill to be entitled "An Act providing that the Comptroller of Public Accounts shall not issue any warrant for the payment of the Available School Funds or Rural Aid or Vocational Educational Funds, to or for the benefit of any school district or city or town which has assumed the control of its public schools, when the interest and/or principal on any bonds owed by such school district and/or city or town belonging to the Permanent School Fund remain unpaid for a period of two years, and providing that such warrant shall not issue when any such school district and/or city or town prefers the claim of any other bond holder to the claims of the State Permanent School Funds; providing that no default shall be deemed to exist if proper refunding bonds have been approved by the State Board of Education; and declaring an emergency."

S. B. No. 514, A bill to be entitled "An Act to prohibit the taking, killing, or possession of wild fox for the purpose of barter or sale, and prohibiting the use of steel traps for taking fur-bearing animals in certain counties, and declaring an emergency."

H. B. No. 361, A bill to be entitled "An Act to amend Section 13, of Chapter 280, of the General Laws of the Forty-first Legislature of Texas, Regular Session, relating to water control and improvement districts. This Act will in nowise change the provisions of Section 13, but does propose to insert therein, immediately after Subdivision 2 thereof, a paragraph, to be Subdivision 3 of said Section, and to provide that: In case such a district has not completed its works in accordance with its plan for improvements; has not money from other sources adequate to complete its works as planned, but has acquired property or lands found not to be

reasonably required to carry out the plans, the proceeds of the sale of such property or land may be applied to the completion of the works contemplated by the district's plans for improvements. Also declaring an emergency."

S. B. No. 142, A bill to be entitled "An Act to amend Section 8, Chapter 10, Acts of the Forty-first Legislature, Second Called Session, relating to the duties of the State Board of Education pertaining to teacher's certificates; protecting rights of teachers holding certificates under existing law; repealing all laws in conflict herewith; and declaring an emergency."

S. B. No. 163, A bill to be entitled "An Act to amend Article 2700, Chapter 11, Title 49, of the Revised Civil Statutes of the State of Texas, 1925, relating to the salaries of county superintendents, decreasing the salaries of said county superintendents, providing for office and traveling expenses, providing for the appointment of an assistant for the county superintendent; defining the purpose of the Act and repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 771, A bill to be entitled "An Act providing for the creation of the Texas Canyon State Park; withdrawing certain public school lands in Brewster and Presidio Counties, Texas, from sale; providing for conveyance of said land to the State of Texas for park purposes; valuing same, and making an appropriation out of the General Revenue for payment of the Permanent School Fund of Texas for consideration of such transfer; providing that said Texas Canyon State Park shall be under supervision and control of said Texas Park Board; and declaring an emergency." (With amendments.)

S. B. No. 181, A bill to be entitled "An Act amending Article 307, of the Revised Statutes of 1925, so as to provide that the Supreme Court shall admit to the practice of law only such persons who have successfully passed an examination given under the supervision of the Board of Law Examiners and which the Board of Law Examiners shall recommend for license to practice law; and declaring an emergency."

S. B. No. 467, A bill to be entitled "An Act to amend Acts, 1931, Forty-second Legislature, Regular Session, page 353, Chapter 210, Section B, relating to the establishment of cemeteries, mausoleums, or crematories, so as to provide for the establishment of such cemeteries, mausoleums, or crematories within one mile of the city limits of an incorporated city or town under certain restrictions; and declaring an emergency."

S. B. No. 563, A bill to be entitled "An Act prohibiting the use of any steel trap or setting of such trap in Bell County, except within two hundred yards of a residence; providing a penalty, repealing conflicting laws; and declaring an emergency."

The Senate has adopted

S. C. R. No. 76, Authorizing Fred Childs to sue the State of Texas.

S. C. R. No. 79, Memorializing Congress to correct injustices done World War Veterans with service-connected disabilities.

H. C. R. No. 99, Requesting the Adjutant General of Texas to appoint two Texas Rangers to serve as attendants at the Texas exhibit in the World's Fair at Chicago.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bills Nos. 142 and 163, to the Committee on Education.

Senate Bill No. 181, to the Committee on Judiciary.

Senate Bill No. 467, to the Committee on Municipal and Private Corporations.

Senate Bill No. 563, to the Committee on Game and Fisheries.

Senate Bill No. 514, to the Committee on Game and Fisheries.

Senate Bill No. 570, to the Committee on Appropriations.

Senate Bill No. 569, to the Committee on Appropriations.

Senate Bill No. 568, to the Committee on Judicial Districts.

Senate Bill No. 562, to the Committee on Highways and Motor Traffic.

Senate Bill No. 539, to the Committee on Penitentiaries.

Senate Bill No. 543, to the Committee on Education.

### RECESS

On motion of Mr. Scarborough, the House, at 12:20 o'clock p. m., took recess to 2 o'clock p. m., today.

### AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

### RELATIVE TO THE AUSTIN-MARBLE FALLS HIGHWAY

Mr. Griffith offered the following resolution:

Whereas, The Longhorn Cavern, located sixty miles northwest of Austin, in Burnet County, is one of the wonder places in Texas, and will probably rival the world's greatest caves; and

Whereas, This cave is not now easily accessible by a good short highway to the vast number of travelers who come through the Capital City of Austin; and

Whereas, The old Austin-Marble Falls highway (only fifty-two miles in length) offers the shortest route from the Capital City to this cavern, and the people of Texas would welcome the making of this highway safe for driving; and

Whereas, All bridges on this road are modern and are ample to take care of heavy traffic; and

Whereas, This highway connects with State Highway No. 66, from San Antonio to Fort Worth; and

Whereas, The rebuilding of this road into a safe highway is a public necessity and can be brought about at a very reasonable expenditure through the Reconstruction Finance Corporation if application is made today; therefore, be it

Resolved by the House of Representatives of the State of Texas, That we recommend to the Reconstruction Finance Corporation that the project of rebuilding this road be given early attention in order that public needs might be properly cared for.

The resolution was read second time, and was adopted.

### SENATE BILL NO. 52 ON FINAL PASSAGE

Mr. Ratliff moved to reconsider the vote by which Senate Bill No. 52 was passed.

The motion to reconsider prevailed.

Question—Shall Senate Bill No. 52 be passed?

Mr. Ratliff offered the following amendments to the bill:

#### (1)

Amend Senate Bill No. 52 by striking out all below the enacting clause, and substitute in lieu thereof the following:

"Section 1. From and after the effective date of this Act, each and every foreign corporation seeking a permit to do business in this State, and as a prerequisite to its right to secure a permit to do business in Texas, and each and every foreign corporation already having a permit to do business in this State on the effective date hereof, shall file in the office of the Secretary of State a power of attorney designating some individual, who is a resident citizen of this State, as its service agent, upon whom process may be served in all suits, proceedings, and causes of actions pending, or hereafter filed in this State, in which said foreign corporation is a party, or is to be made a party, which power of attorney shall be in effect so long as said foreign corporation is authorized to do business in Texas, and for a period of four years from and after the date any such foreign corporation shall have surrendered its charter or has ceased to do business in Texas; provided, however, that each foreign corporation having a permit to do business in Texas on the effective date hereof, shall have ninety days after the effective date hereof within which to comply with the requirements of this Act.

"Sec. 2. The power of attorney required by this Act shall, in addition to stating the name and address of the agent, also stipulate that said agent is appointed as the corporation's service agent in Texas, and that said foreign corporation consents to the service of process upon said agent, and that he shall be deemed as the service agent of said corporation for all intents and purposes as contemplated by the statutes requiring such

designation and appointment; said power of attorney shall be acknowledged by the president or vice-president, attested by the secretary, and acknowledged in manner and in form as is required in the acknowledgment of deeds in the State of Texas; said power of attorney shall, when executed, be filed in the office of the Secretary of State and shall become a part of the records in said office.

"Sec. 3. In the event of the death, resignation, or removal of said agent so appointed, or the revocation of said power of attorney by said corporation, said foreign corporation shall immediately substitute the name of some other individual by similar power of attorney as is required by this Act, so that at all times an agent shall be available upon whom service of process may be had as provided herein.

"Sec. 4. Nothing herein contained shall be construed as repealing any statute in force in this State in reference to service of process on foreign corporations, but this Act shall be construed and held cumulative of all existing statutes, and service of process in all suits against foreign corporations may be had as is now provided by law, or as provided in this Act, or by all of such methods.

"Sec. 5. If any corporation, which is required by the terms of this Act to file the power of attorney and designate a service agent as provided by this Act, shall fail to do so at or within the time as required by this Act, then in such event:

"(a) Each of its acts in this State shall, as to it, be unlawful and void, and none of such acts shall, as to it, be valid; and it shall be incapable in this State of receiving the benefit of, exercising in its behalf or enjoying any right, power, privilege, or immunity that shall not already have accrued, provided that none of its acts done subsequently to the filing of such a power of attorney, though such filing be late, shall be affected by the foregoing provisions, nor in case of such late filing shall the incapacity effected by the foregoing provisions apply to any right, power, privilege, or immunity that shall have wholly arisen and accrued after such filing.

"(b) Such corporation shall be incapacitated to maintain any suit or legal proceedings in any court in this State upon any demand whether arising out of contract or tort.

"(c) Such corporation shall be liable to the State of Texas in the penal sum of fifty dollars (\$50) per week for each and every week in which it shall have so failed to file any such power of attorney, same to be recoverable by the Attorney General in the name of the State of Texas, in any court of competent jurisdiction, in Travis County, Texas.

"(d) Such corporation, by doing any act within this State, shall be deemed to have appointed the Secretary of State and his successors in office, to all intents, effects, and purposes as if it had duly executed such power of attorney.

"Sec. 6. If any paragraph, section, or subsection of this Act shall be held or deemed invalid or unconstitutional, such invalid or unconstitutional part or parts shall not in any manner affect the remaining paragraph, section, or subsection, but all such remaining parts shall be held to be expressive of the wish of the Legislature, regardless of the invalidity of any paragraph, section, or subsection hereof.

"Sec. 7. The fact that there is no adequate statutory provision in this State regulating the service of process on foreign corporations, especially foreign corporations, which might cease to do business in Texas and have no agent in Texas upon whom process may be served, creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days, be suspended, and said rule is suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

(2)

Amend Senate Bill No. 52 by striking out all above the enacting clause, and substitute in lieu thereof the following:

"S. B. No. 52,

A BILL

To Be Entitled

An Act further regulating and providing a means and method of securing service of process on foreign corporations hereafter seeking a permit to do business in Texas and those doing business in

Texas on the effective date of this Act; requiring such foreign corporations to designate and appoint a service agent upon whom service of process may be had; affixing penalties for a violation hereof, and declaring an emergency."

RATLIFF,  
HUGHES.

The amendments were severally adopted.

Senate Bill No. 52 was then passed.

#### SENATE BILL NO. 191 ON SECOND READING

On motion of Mr. Hyder, the regular order of business was suspended, to take up, and have placed on its second reading and passage to third reading,

S. B. No. 191, A bill to be entitled "An Act authorizing school trustees to issue interest-bearing warrants in payment of salaries of employes; specifying that the rate of interest shall not exceed 6 per cent per annum; limiting the amount of warrants to be issued; providing for official notice of the issuance of such warrants, and for official notice when these warrants can be cashed; giving such warrants preference over ones issued for purposes other than payment of salaries, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Tennyson offered the following committee amendment to the bill:

Amend Senate Bill No. 191 by changing expiration date from "June 1, 1935," to "August 31, 1935."

The amendment was adopted.

Mr. Coombes offered the following amendment to the bill:

Amend Senate Bill No. 191, page 2, lines 5 and 6, by striking out all after the words "maintenance tax."

The amendment was adopted.

Mr. Long offered the following amendment to the bill:

Amend Senate Bill No. 191 by adding at the end of Section 1 the following:

"Provided, that no board of school trustees shall have the right to issue warrants or other means of indebtedness unless and until the property-owning taxpayers of said school dis-

tricts, at a special election, give said boards the power to issue such means of indebtedness."

Mr. Kayton moved to table the amendment.

The motion to table prevailed.

Senate Bill No. 191 was then passed to third reading.

#### SENATE BILL NO. 191 ON THIRD READING

Mr. Kayton moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 191 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—95

Aikin.	Kyle of Hays.
Alexander.	Kyle of Palo Pinto.
Alsup.	Laird.
Anderson	Latham.
of Bexar.	Leonard.
Baker.	Long.
Barrett.	Mackay.
Beck.	Magee.
Bourne.	McGregor.
Calvert.	McKee.
Canon.	Merritt.
Cathey.	Metcalfe.
Clayton.	Mitcham.
Colson.	Moffett.
Cowley.	Moore.
Crossley.	Morrison.
Daniel.	Morse.
Dean.	Munson.
Dunagan.	Parkhouse.
Dwyer.	Pavlica.
Engelhard.	Purveyer.
Ford.	Ratliff.
Fuchs.	Ray.
Glass.	Reed of Bowie.
Golson.	Reed of Dallas.
Griffith.	Renfro.
Hankamer.	Roberts.
Harris.	Rogers of Hunt.
Hartzog.	Rogers
Head.	of Ochiltree.
Hester.	Rollins.
Hicks.	Russell.
Hill of Brazoria.	Scarborough.
Hodges.	Shults.
Holland.	Smith.
Holloway.	Stanfield.
Hoskins.	Steward.
Huddleston.	Stinson.
Hyder.	Stovall.
Jackson.	Sullivan.
James.	Tarwater.
Jefferson.	Tennyson.
Jones of Shelby.	Thomas.
Kayton.	Tillery.

Townsend.  
Turlington.  
Van Zandt.  
Wagstaff.  
Walker.

Wells.  
Winningham.  
Wood.  
Young.

Nays—11

Adamson.  
Camp.  
Chastain.  
Coombes.  
Fain.  
Good.

Lindsey.  
Lotief.  
Nicholson.  
Vaughan.  
Weinert.

Absent

Barron.  
Bedford.  
Bradley.  
Burns.  
Butler.  
Caven.  
Celaya.  
Davidson.  
Devall.  
Dunlap.  
Duvall.  
Few.  
Goodman.  
Graves.  
Greathouse.  
Haag.  
Harman.  
Harrison.

Holekamp.  
Hughes.  
Hunt.  
Johnson  
of Anderson.  
Jones of Atascosa.  
Jones of Runnels.  
McClain.  
McCullough.  
Palmer.  
Patterson.  
Pope.  
Ramsey.  
Riddle.  
Ross.  
Savage.  
Scott.  
Shannon.

Absent—Excused

Anderson  
of Johnson.  
Fisher.  
Hill of Webb.  
Johnson of Dimmit.

Lemens.  
Mathis.  
McDougald.  
Reader.

The Speaker then laid Senate Bill No. 191 before the House on its third reading and final passage.

The bill was read third time.

Mr. Parkhouse moved the previous question on the passage of the bill, and the main question was ordered.

Senate Bill No. 191 was then passed by the following vote:

Yeas—104

Adamson.  
Aikin.  
Alexander.  
Alsup.  
Anderson  
of Bexar.  
Baker.  
Barrett.  
Beck.  
Bourne.  
Bradley.  
Calvert.

Canon.  
Cathey.  
Caven.  
Clayton.  
Colson.  
Coombes.  
Cowley.  
Crossley.  
Daniel.  
Davidson.  
Dean.  
Dunagan.

Dwyer.  
Engelhard.  
Ford.  
Fuchs.  
Glass.  
Golson.  
Greathouse.  
Haag.  
Hankamer.  
Harris.  
Hartzog.  
Head.  
Hester.  
Hicks.  
Holekamp.  
Holland.  
Holloway.  
Hoskins.  
Huddleston.  
Hughes.  
Hunt.  
Hyder.  
Jackson.  
James.  
Jefferson.  
Jones of Runnels.  
Jones of Shelby.  
Kayton.  
Kyle of Hays.  
Kyle of Palo Pinto.  
Laird.  
Latham.  
Leonard.  
Long.  
Mackay.  
Magee.  
McCullough.  
McGregor.  
Merritt.  
Mitcham.  
Moffett.

Moore.  
Morrison.  
Morse.  
Munson.  
Nicholson.  
Parkhouse.  
Patterson.  
Pope.  
Purveyar.  
Ratliff.  
Ray.  
Reed of Bowie.  
Reed of Dallas.  
Renfro.  
Roberts.  
Rogers of Hunt.  
Rogers  
of Ochiltree.  
Rollins.  
Russell.  
Scarborough.  
Scott.  
Shults.  
Smith.  
Stanfield.  
Steward.  
Stinson.  
Stovall.  
Sullivant.  
Tarwater.  
Tennyson.  
Thomas.  
Tillery.  
Townsend.  
Turlington.  
Van Zandt.  
Wagstaff.  
Walker.  
Wells.  
Winningham.  
Young.

Nays—11

Camp.  
Chastain.  
Fain.  
Graves.  
Lindsey.  
Lotief.

McKee.  
Metcalf.  
Vaughan.  
Weinert.  
Wood.

Absent

Barron.  
Bedford.  
Burns.  
Butler.  
Celaya.  
Devall.  
Dunlap.  
Duvall.  
Few.  
Good.  
Goodman.  
Griffith.  
Harman.  
Harrison.

Hill of Brazoria.  
Hodges.  
Johnson  
of Anderson.  
Jones of Atascosa.  
McClain.  
Palmer.  
Pavlica.  
Ramsey.  
Riddle.  
Ross.  
Savage.  
Shannon.



## Absent—Excused

Anderson	Lemens.
of Johnson.	Mathis.
Fisher.	McDougald.
Hill of Webb.	Reader.
Johnson of Dimmit.	

## REASON FOR VOTE

I vote for Senate Bill No. 191 because, if the relief sought is to be extended, it should be immediately effective.

COOMBES.

## REQUEST OF SENATE GRANTED

On motion of Mr. Beck, the House granted the request of the Senate for the appointment of a conference committee on Senate Bill No. 492.

In accordance with the above action, the Speaker announced the appointment of the following committee: Messrs. Beck, Crossley, Coombes, Morrison, and Lindsey.

## SENATE BILL NO. 532 ON SECOND READING

On motion of Mr. Metcalfe, the regular order of business was suspended, to take up, and have placed on its second reading and passage to third reading,

S. B. No. 532, A bill to be entitled "An Act authorizing the Texas State Parks Board to improve, beautify, and equip their several State parks, and in payment thereof, or to secure funds therefor, to issue evidences of indebtedness secured by the rents, revenues, and incomes from such improvements, and/or other fees, rents, or revenues from any source other than appropriations made by the State Legislature; providing that the said Board may make concession contracts; providing that projects financed in accordance with this Act shall be deemed self-liquidating in character; providing that nothing herein shall be construed as creating a debt against the State of Texas; and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Stanfield offered the following committee amendment to the bill:

Amend Senate Bill No. 532 by striking out all below the enacting clause, and substituting in lieu thereof the following:

"Section 1. The Texas State Parks Board is hereby authorized and empowered to acquire State park sites by purchase, gift, or otherwise, and to improve, beautify, and equip, and to contract with any person, firm, or corporation for the improvement, beautification, or equipment of the State parks of this State to such an extent as to said Board might be deemed advisable.

"Sec. 2. In payment for such sites and of the improvement, beautification, and equipment of such parks and/or other improvements, or for the purpose of borrowing money from the Reconstruction Finance Corporation, or any other United States Federal Agency, or from any other person, firm, or corporation, the Texas State Parks Board is further authorized and empowered to issue its evidences of indebtedness for such sum or sums of money and upon such conditions as may, to said Board, be deemed advisable, bearing interest at a rate not to exceed 6 per cent per annum, and as security for the payment thereof, said Board may pledge its rents, revenues, and incomes from such improvements and/or any fees, rents, or revenues from any source other than appropriations made by the State Legislature, and in furtherance thereof may have full authority to make concession contracts of any kind or character which, in the judgment of said Board, might be desirable.

"Sec. 3. Projects financed in accordance with this law are hereby declared to be self-liquidating in character supported by charges other than by taxation.

"Sec. 4. Nothing herein shall be construed as creating a debt or binding the State of Texas in any way except as to the pledge of the revenues as hereinbefore set forth.

"Sec. 5. All laws or parts of laws in conflict herewith are hereby repealed.

"Sec. 6. The fact that many of the State parks in this State are badly in need of improvement, and the further fact that improvement thereof will create employment which is so sorely needed at this time, create an emergency and an imperative public necessity that the rule, requiring bills to be read on three separate

days in each House, be suspended, and said rule is hereby suspended, and that this Act be in full force from and after its passage, and it is so enacted."

Mrs. Hughes offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 532, Section 1, by adding at the end thereof the following: "The authority herein given to purchase is limited to two years from the effective date of this Act."

The amendment by Mrs. Hughes was adopted.

The committee amendment as amended was then adopted.

Mr. Stanfield offered the following committee amendment to the bill:

Amend Senate Bill No. 532 by striking out all above the enacting clause, and substituting in lieu thereof the following:

"S. B. No. 532,

#### A BILL

#### To Be Entitled

An Act authorizing the Texas State Parks Board to acquire State park sites by purchase, gift, or otherwise, and to improve, beautify, and equip their several State parks, and to contract with reference thereto, and in payment thereof, or to secure funds therefor, to issue evidences of indebtedness secured by the rents, revenues, and incomes from such improvements, and/or other fees, rents, or revenues from any source other than appropriations made by the State Legislature; providing that the said Board may make concession contracts; providing that projects financed in accordance with this Act shall be deemed self-liquidating in character; providing that nothing herein shall be construed as creating a debt against the State of Texas; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

Senate Bill No. 532 was then passed to third reading.

#### SENATE BILL NO. 532 ON THIRD READING

Mr. Stanfield moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 532 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—94

Adamson.	Lotief.
Aikin.	Mackay.
Alexander.	Magee.
Alsup.	Merritt.
Baker.	Metcalfe.
Beck.	Mitcham.
Bourne.	Moffett.
Bradley.	Moore.
Butler.	Morrison.
Camp.	Morse.
Canon.	Munson.
Cathey.	Nicholson.
Chastain.	Palmer.
Clayton.	Parkhouse.
Colson.	Patterson.
Cowley.	Pavlica.
Daniel.	Pope.
Davidson.	Puryear.
Dunagan.	Ratliff.
Dwyer.	Reed of Dallas.
Engelhard.	Roberts.
Few.	Rogers
Ford.	of Ochiltree.
Fuchs.	Rollins.
Glass.	Ross.
Greathouse.	Savage.
Griffith.	Scarborough.
Haag.	Scott.
Hankamer.	Shannon.
Harris.	Smith.
Hester.	Stanfield.
Hicks.	Steward.
Hill of Brazoria.	Stinson.
Hodges.	Stovall.
Holloway.	Sullivant.
Hughes.	Tarwater.
Hunt.	Tennyson.
Hyder.	Thomas.
Jackson.	Townsend.
James.	Turlington.
Jones of Runnels.	Van Zandt.
Jones of Shelby.	Wagstaff.
Kayton.	Walker.
Kyle of Palo Pinto.	Weinert.
Laird.	Wells.
Latham.	Wood.
Leonard.	Young.
Long.	

Nays—20

Coombes.	Harrison.
Crossley.	Head.
Fain.	Huddleston.
Good.	Kyle of Hays.
Goodman.	Lindsey.

McCullough.	Russell.
Ray.	Shults.
Reed of Bowie.	Tillery.
Riddle.	Vaughan.
Rogers of Hunt.	Winningham.

**Absent**

Anderson	Harman.
of Bexar.	Hartzog.
Barrett.	Holekamp.
Barron.	Holland.
Bedford.	Hoskins.
Burns.	Jefferson.
Calvert.	Johnson
Caven.	of Anderson.
Celaya.	Jones of Atascosa.
Dean.	McClain.
Devall.	McGregor.
Dunlap.	McKee.
Duvall.	Ramsey.
Golson.	Renfro.
Graves.	

**Absent—Excused**

Anderson	Lemens.
of Johnson.	Mathis.
Fisher.	McDougald.
Hill of Webb.	Reader.
Johnson of Dimmit.	

The Speaker then laid Senate Bill No. 532 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

**Yeas—84**

Adamson.	Holloway.
Aikin.	Hughes.
Alexander.	Hyder.
Alsup.	Jackson.
Baker.	Jones of Atascosa.
Bradley.	Jones of Runnels.
Butler.	Kyle of Hays.
Canon.	Kyle of Palo Pinto.
Clayton.	Laird.
Colson.	Latham.
Daniel.	Leonard.
Davidson.	Long.
Dean.	Lotief.
Dunlap.	Magee.
Dunagan.	Merritt.
Dwyer.	Metcalfe.
Few.	Mitcham.
Ford.	Moffett.
Glass.	Moore.
Golson.	Morrison.
Greathouse.	Morse.
Griffith.	Munson.
Haag.	Nicholson.
Hankamer.	Palmer.
Head.	Parkhouse.
Hicks.	Patterson.
Hill of Brazoria.	Pavlica.
Holekamp.	Pope.

Purveyar.	Stinson.
Ratliff.	Stovall.
Ray.	Sullivant.
Reed of Dallas.	Tarwater.
Renfro.	Tennyson.
Roberts.	Thomas.
Rogers	Townsend.
of Ochiltree.	Turlington.
Rollins.	Van Zandt.
Ross.	Wagstaff.
Scott.	Walker.
Shannon.	Weinert.
Smith.	Wells.
Stanfield.	Wood.
Steward.	

**Nays—25**

Beck.	Jones of Shelby.
Bourne.	Lindsey.
Cathey.	McCullough.
Chastain.	Reed of Bowie.
Coombes.	Riddle.
Cowley.	Rogers of Hunt.
Crossley.	Russell.
Fain.	Scarborough.
Fuchs.	Shults.
Good.	Tillery.
Harris.	Vaughan.
Harrison.	Winningham.
Huddleston.	

**Present—Not Voting**

Young.

**Absent**

Anderson	Hester.
of Bexar.	Hodges.
Barrett.	Holland.
Barron.	Hoskins.
Bedford.	Hunt.
Burns.	James.
Calvert.	Jefferson.
Camp.	Johnson
Caven.	of Anderson.
Celaya.	Kayton.
Devall.	Mackay.
Duvall.	McClain.
Engelhard.	McGregor.
Goodman.	McKee.
Graves.	Ramsey.
Harman.	Savage.
Hartzog.	

**Absent—Excused**

Anderson	Lemens.
of Johnson.	Mathis.
Fisher.	McDougald.
Hill of Webb.	Reader.
Johnson of Dimmit.	

Mr. Stanfield moved to reconsider the vote by which Senate Bill No. 532 was passed.

The motion to reconsider prevailed.

Senate Bill No. 532 was then passed by the following vote:

## Yeas—123

Adamson.	Jones of Shelby.
Aikin.	Kyle of Hays.
Alexander.	Kyle of Palo Pinto.
Alsup.	Laird.
Anderson	Latham.
of Johnson.	Leonard.
Baker.	Long.
Barrett.	Lotief.
Beck.	Mackay.
Bedford.	Magee.
Bourne.	McClain.
Burns.	McGregor.
Butler.	Merritt.
Calvert.	Mitcham.
Camp.	Moffett.
Cathey.	Moore.
Celaya.	Morrison.
Chastain.	Morse.
Clayton.	Munson.
Colson.	Palmer.
Coombes.	Parkhouse.
Cowley.	Patterson.
Crossley.	Pavlica.
Daniel.	Pope.
Davidson.	Puryear.
Dunlap.	Ramsey.
Dunagan.	Ratliff.
Dwyer.	Ray.
Engelhard.	Reed of Bowie.
Fain.	Reed of Dallas.
Few.	Renfro.
Ford.	Riddle.
Fuchs.	Roberts.
Glass.	Rogers of Hunt.
Golson.	Rogers of Ochiltree.
Good.	Rollins.
Goodman.	Ross.
Graves.	Russell.
Greathouse.	Savage.
Griffith.	Scarborough.
Hankamer.	Scott.
Harman.	Shannon.
Harrison.	Shults.
Hartzog.	Smith.
Head.	Stanfield.
Hester.	Steward.
Hicks.	Stinson.
Hill of Brazoria.	Stovall.
Hodges.	Sullivant.
Holekamp.	Tarwater.
Holland.	Tennyson.
Holloway.	Thomas.
Hoskins.	Tillery.
Huddleston.	Turlington.
Hughes.	Vaughan.
Hunt.	Wagstaff.
Hyder.	Walker.
Jackson.	Weinert.
James.	Wells.
Jefferson.	Winningham.
Jones of Atascosa.	Wood.
Jones of Runnels.	Young.

## Absent

Anderson of Bexar. Barron.

Bradley.	Kayton.
Canon.	Lindsey.
Caven.	McCullough.
Dean.	McKee.
Devall.	Metcalf.
Duvall.	Nicholson.
Haag.	Townsend.
Harris.	Van Zandt.
Johnson	
of Anderson.	

## Absent—Excused

Fisher.	Lemens.
Hill of Webb.	Mathis.
Johnson	McDougald.
of Dimmit.	Reader.

## REASON FOR VOTE

I vote "nay" on Senate Bill No. 532 for the reason that this bill authorizes the State Parks Board to establish any number of parks in the State, and I fear that in the future the Legislature will be called upon to make appropriations to care for and maintain these parks.

VAUGHAN.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, May 25, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House amendments to Senate Bill No. 492, and requests the appointment of a conference committee. The following have been appointed on the part of the Senate: Senators Moore, Purl, Regan, Pace, and Beck.

The Senate has concurred in House amendments to Senate Bill No. 531 by the following vote: Yeas, 29; nays, 0.

The senate has concurred in House amendments to Senate Bill No. 357 by the following vote: Yeas, 29; nays, 0.

The Senate has passed

S. B. No. 101, A bill to be entitled "An Act making an appropriation to pay blanket warrants issued by the Comptroller in accordance with Article 760, Code of Criminal Procedure, 1925, to court reporters for fees for making transcripts in cases in which paupers' oaths are filed; and declaring an emergency."

S. B. No. 216, A bill to be entitled "An Act authorizing defendants in felony cases less than capital offenses, with the consent and approval of the court, to waive the right of trial by jury and to be tried by the court; amending Articles 10-a, 11, 12, 658, and 776-a, of the Code of Criminal Procedure of the State of Texas, as amended by the Acts of 1931, by Forty-second Legislature, pages 65 and 66, Chapter 43, so as to make them conform to such right; and to permit the court, under certain conditions and in certain cases, to suspend the sentence of the defendant; providing that when a defendant who is eligible to apply for a suspended sentence has no attorney, the court may appoint an attorney to represent him; providing that if any parts of this Act are held invalid it shall not affect other provisions; repealing all laws in conflict herewith; and declaring an emergency."

The Senate has concurred in House amendments to Senate Bill No. 560 by the following vote: Yeas, 29; nays, 0.

The Senate has concurred in House amendments to Senate Bill No. 52 by the following vote: Yeas, 29; nays, 0.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

H. B. No. 303, "An Act to regulate the operation of corporations organized and incorporated under a pre-existing law in this State without capital stock and not for profit, which law has been amended, or repealed, or re-enacted, and which were operating and carrying on in this State, immediately prior to January 1, 1933, the State-wide business of mutually protecting or insuring the lives of their members by assessments made upon their members; etc.; and declaring an emergency."

S. B. No. 508, "An Act repealing Chapter 78, Acts of the Fortieth Legislature of the State of Texas, conferring jurisdiction of the County Court at Law of McLennan County on the County Court of said County, and the powers possessed by said Court and the Judge thereof on the County Court and County Judge, respectively, of McLennan County, transferring pending causes and making pending processes returnable to the County Court of McLennan County, disposing of fees of office, fixing the salary of the County Judge of McLennan County, and declaring an emergency."

S. B. No. 434, "An Act to amend Article 1302, Title 32, of the Revised Civil Statutes of Texas of 1925, providing additional purposes for which corporations may be formed under the laws of the State of Texas."

S. B. No. 472, "An Act making appropriations for the support and maintenance of summer schools during the summer of the year 1933, at the several State institutions of higher learning in the State of Texas; authorizing the expenditure by said institutions of certain additional amounts from fees collected from summer school students; and fixing the amount of admission, matriculation, and tuition fees for said institutions; and declaring an emergency."

H. B. No. 70, "An Act to amend Article 904, Penal Code of the State of Texas, 1925, relating to fees for hunting by a resident of this State hunting outside of the county of his residence, and to non-residents and aliens hunting in this State, fixing the fees for same; providing for the issuance of such licenses; etc."

H. C. R. No. 87, Granting C. W. Franks permission to sue the State.

H. C. R. No. 99, Relative to the appointment of Texas Rangers to attend World's Fair.

H. C. R. No. 100, Authorizing certain corrections in conference committee report on Senate Bill No. 262.

#### MOTION TO TAKE UP SENATE BILL NO. 24

Mr. Merritt moved that the regular order of business be suspended,

to take up, and have placed on its second reading and passage to third reading, Senate Bill No. 24.

The motion was lost.

#### SENATE BILL NO. 14 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 14, A bill to be entitled "An Act to amend Article 2549, of the Revised Civil Statutes of Texas for 1925, so that the requirements and provisions of said Article shall remain and be the same as at the present, except that it shall provide that funds deposited by the tax collector of, each county shall bear interest on daily balances 'at the rate, if any, fixed for such deposits of the tax collector by the commissioners court in its order designating such depository or depositories,' instead of 'at the same rate as such depository or depositories have undertaken to pay for the use of county funds,' and declaring an emergency."

The bill was read second time, and was passed to third reading.

#### SENATE BILL NO. 14 ON THIRD READING

Mr. Hester moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 14 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101

Adamson.	Dwyer.
Aikin.	Fain.
Alexander.	Few.
Alsup.	Fuchs.
Anderson	Glass.
of Bexar.	Good.
Baker.	Graves.
Barron.	Greathouse.
Bourne.	Griffith.
Canon.	Haag.
Cathey.	Hankamer.
Caven.	Harris.
Celaya.	Harrison.
Chastain.	Head.
Clayton.	Hester.
Colson.	Hicks.
Coombes.	Hill of Brazoria.
Cowley.	Hodges.
Crossley.	Holekamp.
Daniel.	Holloway.
Dean.	Hoskins.
Dunagan.	Huddleston.

Hyder.	Renfro.
Jackson.	Riddle.
James.	Roberts.
Jefferson.	Rogers of Hunt.
Jones of Runnels.	Rogers
Jones of Shelby.	of Ochiltree.
Kayton.	Rollins.
Kyle of Hays.	Ross.
Laird.	Russell.
Latham.	Scarborough.
Leonard.	Scott.
Long.	Shannon.
Magee.	Shults.
McCullough.	Stanfield.
Merritt.	Steward.
Mitcham.	Stinson.
Moffett.	Stovall.
Moore.	Sullivant.
Morrison.	Tarwater.
Morse.	Thomas.
Munson.	Turlington.
Nicholson.	Van Zandt.
Parkhouse.	Vaughan.
Patterson.	Wagstaff.
Pavlica.	Walker.
Puryear.	Weinert.
Ratliff.	Wells.
Ray.	Winningham.
Reed of Bowie.	Wood.
Reed of Dallas.	

#### Present—Not Voting

Lotief.	Young.
---------	--------

#### Absent

Barrett.	Hunt.
Beck.	Johnson
Bedford.	of Anderson.
Bradley.	Jones of Atascosa.
Burns.	Kyle of Palo Pinto.
Butler.	Lindsey.
Calvert.	Mackay.
Camp.	McClain.
Davidson.	McGregor.
Devall.	McKee.
Dunlap.	Metcalfe.
Duvall.	Palmer.
Engelhard.	Pope.
Ford.	Ramsey.
Golson.	Savage.
Goodman.	Smith.
Harman.	Tennyson.
Hartzog.	Tillery.
Holland.	Townsend.
Hughes.	

#### Absent—Excused

Anderson	Lemens.
of Johnson.	Mathis.
Fisher.	McDougald.
Hill of Webb.	Reader.
Johnson of Dimmit.	

The Speaker then laid Senate Bill No. 14 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—103

Adamson.	Latham.
Aikin.	Leonard.
Alsup.	Long.
Anderson	Lotief.
of Bexar.	Mackay.
Baker.	Magee.
Barrett.	Merritt.
Barron.	Mitcham.
Bourne.	Moffett.
Bradley.	Moore.
Canon.	Morrison.
Caven.	Morse.
Celaya.	Munson.
Chastain.	Nicholson.
Clayton.	Parkhouse.
Colson.	Patterson.
Coombes.	Pavlica.
Cowley.	Puryear.
Crossley.	Ratliff.
Davidson.	Ray.
Dean.	Reed of Bowie.
Dunagan.	Renfro.
Fain.	Riddle.
Few.	Roberts.
Ford.	Rogers of Hunt.
Fuchs.	Rogers
Glass.	of Ochiltree.
Golson.	Rollins.
Good.	Ross.
Graves.	Russell.
Greathouse.	Savage.
Griffith.	Scarborough.
Haag.	Scott.
Hankamer.	Shannon.
Harris.	Shults.
Harrison.	Stanfield.
Hartzog.	Steward.
Head.	Stinson.
Hester.	Stovall.
Hill of Brazoria.	Sullivant.
Hodges.	Tarwater.
Holekamp.	Thomas.
Holloway.	Tillery.
Hoskins.	Turlington.
Huddleston.	Van Zandt.
Hunt.	Vaughan.
Hyder.	Wagstaff.
Jackson.	Walker.
James.	Wells.
Jefferson.	Winningham.
Jones of Runnels.	Wood.
Jones of Shelby.	Young.
Kyle of Hays.	

## Nays—2

Daniel.	Laird.
---------	--------

## Present—Not Voting

Alexander.
------------

## Absent

Beck.	Bedford.
-------	----------

Burns.	Jones of Atascosa.
Butler.	Kayton.
Calvert.	Kyle of Palo Pinto.
Camp.	Lindsey.
Cathey.	McClain.
Devall.	McCullough.
Dunlap.	McGregor.
Duvall.	McKee.
Dwyer.	Metcalfe.
Engelhard.	Palmer.
Goodman.	Pope.
Harman.	Ramsey.
Hicks.	Reed of Dallas.
Holland.	Smith.
Hughes.	Tennyson.
Johnson	Townsend.
of Anderson.	Weinert.

## Absent—Excused

Anderson	Lemens.
of Johnson.	Mathis.
Fisher.	McDougald.
Hill of Webb.	Reader.
Johnson of Dimmit.	

## SENATE BILL NO. 24 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 24, A bill to be entitled "An Act amending Chapter 97, of the Acts of the Regular Session of the Forty-first Legislature, of 1929, fixing the scholastic age of pupils in the public free schools, increasing the minimum school age from 6 to 7 years, and amending Chapter 20, of the Acts of the First Called Session of the Forty-second Legislature, of 1931, so as to provide free tuition for pupils over 7 years of age and not over 21 years of age in certain school districts, and to provide for length of terms to be allowed transfer pupils and to provide for part-time schools, continuation schools, and evening schools for the purpose of better educating adults, defining the meaning of high school grades, repealing all laws in conflict with said Chapter 97, of the Acts of the Regular Session of the Forty-first Legislature, and repealing all laws in conflict with Chapter 20, of the Acts of the First Called Session of the Forty-second Legislature; and declaring an emergency."

The bill was read second time.

Mr. McClain moved that the bill be laid on the table subject to call.

The motion was lost.

Mr. McClain offered the following amendment to the bill:

Amend Senate Bill No. 24, Section 1, Article 2902, by striking out the word "seven," in line 1, and insert in lieu thereof the word "six"; by striking out the word "eighteen" in line 2, and insert in lieu thereof "seventeen"; by striking out the word "seven" in line 7, and insert in lieu thereof the word "six."

McCLAIN,  
CANON.

Mr. Aikin offered the following amendment to the bill:

Amend Senate Bill No. 24 by striking out the enacting clause.

AIKIN,  
MORRISON.

(Pending consideration of the amendment by Mr. Aikin, Mr. Rogers of Hunt occupied the Chair temporarily.)

(Speaker in the Chair.)

Mr. Morse moved the previous question on the pending amendment by Mr. Aikin, and the main question was ordered.

Question recurring on the amendment by Mr. Aikin and Mr. Morrison, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—79

Aikin.	Hodges.
Alsup.	Holland.
Anderson	Huddleston.
of Johnson.	Hughes.
Barrett.	Hunt.
Beck.	Hyder.
Bourne.	Jackson.
Burns.	James.
Butler.	Jefferson.
Canon.	Jones of Shelby.
Cathey.	Kayton.
Celaya.	Laird.
Clayton.	Latham.
Colson.	Leonard.
Crossley.	Lotief.
Daniel.	Magee.
Davidson.	McClain.
Dwyer.	McGregor.
Engelhard.	McKee.
Few.	Metcalfe.
Ford.	Mitcham.
Greathouse.	Moffett.
Griffith.	Moore.
Hankamer.	Morrison.
Harman.	Morse.
Harris.	Palmer.
Head.	Parkhouse.
Hester.	Patterson.
Hicks.	Ratliff.

Ray.	Steward.
Reed of Bowie.	Stinson.
Reed of Dallas.	Stovall.
Renfro.	Tarwater.
Riddle.	Tennyson.
Roberts.	Thomas.
Ross.	Tillery.
Russell.	Turlington.
Scarborough.	Wells.
Smith.	Winningham.
Stanfield.	Wood.

Nays—49

Adamson.	Lindsey.
Alexander.	Long.
Baker.	McCullough.
Barron.	Merritt.
Bedford.	Munson.
Calvert.	Nicholson.
Camp.	Pavlica.
Chastain.	Pope.
Coombes.	Puryear.
Cowley.	Rogers of Hunt.
Dean.	Rogers
Dunagan.	of Ochiltree.
Fain.	Rollins.
Fuchs.	Savage.
Glass.	Scott.
Golson.	Shannon.
Good.	Shults.
Harrison.	Sullivan.
Hill of Brazoria.	Townsend.
Holekamp.	Van Zandt.
Holloway.	Vaughan.
Hoskins.	Wagstaff.
Jones of Runnels.	Walker.
Kyle of Hays.	Weinert.
Kyle of Palo Pinto.	Young.

Absent

Anderson	Graves.
of Bexar.	Haag.
Bradley.	Hartzog.
Caven.	Johnson
Devall.	of Anderson.
Dunlap.	Jones of Atascosa.
Duvall.	Mackay.
Goodman.	Ramsey.

Absent—Excused

Fisher.	Lemens.
Hill of Webb.	Mathis.
Johnson	McDougald.
of Dimmit.	Reader.

Mr. Aikin moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

**BILLS SIGNED BY THE SPEAKER**

The Speaker signed, in the presence of the House, after giving due notice



thereof, and their captions had been read severally, the following enrolled bills:

S. B. No. 357, "An Act to permit the Commissioners Court of Rains County, Texas, to use all or any part of interest collected on notes held by said County of Rains against Rains County school land in Hockley County, Texas, to protect said property as to taxes, and pay attorneys' fees, etc., in case of foreclosure; and declaring an emergency."

S. B. No. 515, "An Act to amend Article 955, Penal Code, as amended by Chapter 257, General and Special Laws, Regular Session, Forty-first Legislature, as amended by Chapter 304, General Laws, passed at the Regular Session of the Forty-second Legislature, prohibiting the sale of fish taken from fresh-water streams of certain named counties, providing means and method of taking and possessing fish from fresh-water streams of said counties; defining offenses, and prescribing the penalty for violation thereof; and omitting Bell County from the list of said counties; and declaring an emergency."

S. B. No. 478, "An Act to amend Articles 1670 and 1673, of the Revised Civil Statutes of the State of Texas, 1925, which Articles relate to the prescription of a system and the forms to be used for receipts and disbursements of navigation districts, and the method of appointment and payment of assistants to the county auditor in counties of more than 330,000 population, having a navigation district or other improvement districts, in cases in which said assistants are required for services in auditing the accounts of such districts; and declaring an emergency."

S. B. No. 559, "An Act providing that where as a result of improvements made by the Federal Government on lands owned by the State or by any city or county of the State, under the provisions of an Act of Congress approved March 31, 1933, and being entitled 'An Act for the relief of unemployment through the performance of useful public work and other purposes,' there accrues to the State on a sale of said land or its products a profit from the improvements so made, said profits so resulting from said improvements

shall be divided equally between the State and the Federal Government upon certain conditions; exempting from the provisions of this Act lands held by the State or by any county of the State for public free school or university purposes; and declaring an emergency."

S. B. No. 262, "An Act for the purpose of releasing the interest and penalties on all State, county, special school district, road district, levee improvement district, and irrigation district taxes, and taxes of other defined subdivisions of the State, other than incorporated cities and towns; providing said taxes are paid on or before June 30, 1933; suspending all laws and parts of laws in conflict herewith; and declaring an emergency."

S. B. No. 426, "An Act repealing Chapter 241, of the Special Laws of Texas, passed by the Forty-second Legislature, at its Regular Session, as amended by Chapter 29, of the General and Special Laws of Texas, passed by the Forty-second Legislature, at its First Called Session, to create and establish the San Antonio River Canal and Conservation District, under authority of Section 59, of Article XVI, of the Constitution; and declaring an emergency."

S. B. No. 5, "An Act to amend Article 2029, of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 124, of the Acts of the Regular Session of the Forty-first Legislature of the State of Texas, so as to add navigation districts' bonds to those acceptable for deposit by State depositories; and declaring an emergency."

S. B. No. 4, "An Act to amend Article 5006, of the Revised Civil Statutes of Texas of 1925, so as to include the bonds or other interest-bearing evidence of indebtedness of navigation districts among those in which insurance companies are authorized to invest their funds; and declaring an emergency."

S. B. No. 337, "An Act to authorize the State Highway Commission of Texas to construct, operate, and maintain, out of funds available for that purpose, highway bridges over and across the intracoastal waterway of Louisiana and Texas; and declaring an emergency."

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, May 25, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate  
to inform the House that the Senate  
has passed

H. B. No. 83, A bill to be entitled  
"An Act to provide for the Texas  
Prison Board, through its general  
manager, bidding for contracts to sup-  
ply the State with printing, binding,  
and supplies of like character with  
the Board of Control without a bond,  
and entering into such contracts with  
the Board of Control without a bond,  
and entering into such contracts with  
the Board of Control without execut-  
ing a bond; and declaring an emer-  
gency."

Respectfully,  
**BOB BARKER,**  
Secretary of the Senate.

HOUSE BILL NO. 771 WITH SEN-  
ATE AMENDMENTS

Mr. Wagstaff called up from the  
Speaker's table, with Senate amend-  
ments, for consideration of the amend-  
ments,

H. B. No. 771, A bill to be entitled  
"An Act providing for the creation of  
the Texas Canyon State Park; with-  
drawing certain public school lands  
in Brewster and Presidio Counties,  
Texas, from sale; providing for con-  
veyance of said land to the State of  
Texas for park purposes; valuing  
same, and making an appropriation  
out of the General Revenue for pay-  
ment of the Permanent School Fund  
of Texas for consideration of such  
transfer; providing that said Texas  
Canyon State Park shall be under  
supervision and control of said Texas  
Park Board; and declaring an emer-  
gency."

The Speaker laid the bill before the  
House, with the Senate amendments.

On motion of Mr. Wagstaff, the  
House concurred in the Senate amend-  
ments by the following vote:

Yeas—108

Adamson.	Anderson
Aikin.	of Johnson.
Alexander.	Baker.
Alsup.	Burns.
Anderson	Calvert.
of Bexar.	Camp.

Canon.	Lotief.
Cathey.	Mackay.
Chastain.	Magee.
Clayton.	McCullough.
Colson.	McGregor.
Coombes.	Merritt.
Cowley.	Mitcham.
Crossley.	Moffett.
Daniel.	Moore.
Davidson.	Morrison.
Dunlap.	Morse.
Dunagan.	Munson.
Dwyer.	Parkhouse.
Engelhard.	Patterson.
Few.	Pavlica.
Fuchs.	Puryear.
Glass.	Ramsey.
Golson.	Ratliff.
Good.	Ray.
Goodman.	Reed of Dallas.
Graves.	Renfro.
Greathouse.	Riddle.
Griffith.	Roberts.
Hankamer.	Rogers of Hunt.
Harrison.	Rogers
Hartzog.	of Ochiltree.
Hester.	Rollins.
Hill of Brazoria.	Ross.
Hodges.	Russell.
Holekamp.	Savage.
Holland.	Scarborough.
Hoskins.	Scott.
Huddleston.	Shannon.
Hughes.	Shults.
Hunt.	Smith.
Hyder.	Stanfield.
Jackson.	Steward.
James.	Stinson.
Jefferson.	Sullivant.
Jones of Atascosa.	Tennyson.
Jones of Runnels.	Thomas.
Jones of Shelby.	Tillery.
Kayton.	Turlington.
Kyle of Hays.	Van Zandt.
Kyle of Palo Pinto.	Wagstaff.
Laird.	Weinert.
Latham.	Wells.
Leonard.	Winningham.
Lindsey.	Wood.
Long.	

Nays—3

Beck.	Reed of Bowie.
Fain.	

Present—Not Voting

Stovall.

Absent

Barrett.	Dean.
Barron.	Devall.
Bedford.	Duvall.
Bourne.	Ford.
Bradley.	Haag.
Butler.	Harman.
Caven.	Harris.
Celaya.	Head.

Hicks.	Palmer.
Holloway.	Pope.
Johnson	Tarwater.
of Anderson.	Townsend.
McClain.	Vaughan.
McKee.	Walker.
Metcalfe.	Young.
Nicholson.	

## Absent—Excused

Fisher.	Lemens.
Hill of Webb.	Mathis.
Johnson	McDougald.
of Dimmit.	Reader.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT  
ON HOUSE BILL NO. 256

The Speaker laid before the House, for consideration at this time, the report of the conference committee on House Bill No. 256;

The report having been submitted to the House on Wednesday, May 24, and further consideration of same postponed until today.

Mr. Moore made the following motion:

"I move that the conference committee report on House Bill No. 256 be not adopted, and that a new conference committee be appointed."

The motion of Mr. Moore prevailed by the following vote:

## Yeas—106

Adamson.	Fuchs.
Aikin.	Glass.
Alexander.	Golson.
Alsop.	Good.
Anderson	Goodman.
of Bexar.	Greathouse.
Anderson	Griffith.
of Johnson.	Hankamer.
Baker.	Harman.
Barrett.	Harris.
Barron.	Harrison.
Bedford.	Head.
Bourne.	Hicks.
Burns.	Hill of Brazoria.
Calvert.	Hodges.
Camp.	Holekamp.
Canon.	Holland.
Chastain.	Holloway.
Clayton.	Hoskins.
Cowley.	Huddleston.
Daniel.	Hunt.
Davidson.	Hyder.
Dean.	James.
Dunagan.	Jefferson.
Engelhard.	Jones of Atascosa.
Fain.	Jones of Runnels.
Ford.	Kayton.

Kyle of Hays.	Rogers of Hunt.
Kyle of Palo Pinto.	Rogers
Latham.	of Ochiltree.
Leonard.	Ross.
Long.	Russell.
Lotief.	Savage.
Mackay.	Scarborough.
Magee.	Scott.
McClain.	Shannon.
McKee.	Shults.
Metcalfe.	Smith.
Mitcham.	Stanfield.
Moffett.	Steward.
Moore.	Stinson.
Morse.	Stovall.
Munson.	Sullivant.
Nicholson.	Tennyson.
Palmer.	Thomas.
Parkhouse.	Townsend.
Pavlica.	Van Zandt.
Pope.	Vaughan.
Purveyar.	Wagstaff.
Ratliff.	Walker.
Ray.	Weinert.
Reed of Bowie.	Winningham.
Reed of Dallas.	Wood.
Renfro.	Young.
Roberts.	

## Nays—5

Butler.	Rollins.
Jones of Shelby.	Turlington.
McGregor.	

## Absent

Beck.	Hester.
Bradley.	Hughes.
Cathey.	Jackson.
Caven.	Johnson
Celaya.	of Anderson.
Colson.	Laird.
Coombes.	Lindsey.
Crossley.	McCullough.
Devall.	Merritt.
Dunlap.	Morrison.
Duvall.	Patterson.
Dwyer.	Ramsey.
Few.	Riddle.
Graves.	Tarwater.
Haag.	Tillery.
Hartzog.	Wells.

## Absent—Excused

Fisher.	Lemens.
Hill of Webb.	Mathis.
Johnson	McDougald.
of Dimmit.	Reader.

## BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 623, "An Act to further protect the purchasers and consumers of fruits and vegetables, by prescribing methods by which such fruits and vegetables may be identified as to grade and pack; and declaring an emergency."

H. B. No. 361, "An Act to amend Section 13, of Chapter 280, of the General Laws of the Forty-first Legislature of Texas, Regular Session, relating to water control and improvement districts. This Act will in no wise change the provisions of said Section 13, but does propose to insert therein, immediately after Subdivision 2 thereof, a paragraph, to be Subdivision 3 of said Section, and to provide that: In case such a district has not completed its works in accordance with its plan for improvements; has not money from other sources adequate to complete its works as planned, but has acquired property or lands found not to be reasonably required to carry out the plans, the proceeds of the sale of such property or land may be applied to the completion of the works contemplated by the district's plans for improvements. Also declaring an emergency."

#### CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 166

Mr. Harman submitted the conference committee report on House Bill No. 166; same being a bill making an appropriation for the support and maintenance of the various educational institutions.

Mr. Harman moved that the report be adopted.

Mr. Scarborough moved that the report be not adopted, and that a new committee be appointed to adjust the differences between the two Houses.

The motion of Mr. Scarborough prevailed by the following vote:

#### Yeas—75

Adamson.	Bradley.
Aikin.	Camp.
Alexander.	Canon.
Alsup.	Colson.
Baker.	Coombes.
Barrett.	Davidson.
Barron.	Dunagan.
Beck.	Engelhard.
Bourne.	Fain.

Few.	Munson.
Fuchs.	Palmer.
Golson.	Parkhouse.
Good.	Purveyer.
Goodman.	Reed of Bowie.
Greathouse.	Reed of Dallas.
Harris.	Roberts.
Hartzog.	Rogers of Hunt.
Hicks.	Rogers
Holekamp.	of Ochiltree.
Holland.	Rollins.
Holloway.	Russell.
Hoskins.	Savage.
Huddleston.	Scarborough.
James.	Scott.
Jefferson.	Shannon.
Jones of Runnels.	Smith.
Kayton.	Stinson.
Kyle of Palo Pinto.	Stovall.
Laird.	Sullivant.
Latham.	Tarwater.
Leonard.	Tennyson.
Lindsey.	Thomas.
Long.	Van Zandt.
Lotief.	Vaughan.
Merritt.	Wagstaff.
Mitcham.	Weinert.
Moffett.	Wood.
Morrison.	Young.

#### Nays—49

Anderson	Jackson.
of Johnson.	Jones of Shelby.
Bedford.	Kyle of Hays.
Burns.	Mackay.
Butler.	Magee.
Calvert.	McCullough.
Chastain.	Metcalfe.
Clayton.	Moore.
Cowley.	Morse.
Crossley.	Nicholson.
Daniel.	Patterson.
Dunlap.	Pavlica.
Dwyer.	Ratliff.
Ford.	Ray.
Glass.	Renfro.
Graves.	Riddle.
Haag.	Ross.
Hankamer.	Shults.
Harman.	Stanfield.
Head.	Steward.
Hester.	Tillery.
Hill of Brazoria.	Townsend.
Hodges.	Turlington.
Hughes.	Walker.
Hyder.	Winningham.

#### Absent

Anderson	Griffith.
of Bexar.	Harrison.
Cathey.	Hunt.
Caven.	Johnson
Celaya.	of Anderson.
Dean.	Jones of Atascosa.
Devall.	McClain.
Duvall.	McGregor.

McKee.  
Pope.

Ramsey.  
Wells.

Absent—Excused

Fisher.  
Hill of Webb.  
Johnson  
of Dimmit.

Lemens.  
Mathis.  
McDougald.  
Reader.

Mr. Scarborough moved to reconsider the vote by which the motion was adopted, and to table the motion to reconsider.

The motion to table prevailed.

On motion of Mr. Kayton, by unanimous consent, the report was ordered not printed in the Journal at this time.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, May 25, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House amendments to Senate Bill No. 191, and requests the appointment of a conference committee. The following have been appointed on the part of the Senate: Senators Neal, Duggan, Redditt, Fellbaum, and Greer.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 101, to the Committee on Appropriations.

Senate Bill No. 216, to the Committee on Criminal Jurisprudence.

#### RECESS

On motion of Mr. Morse, the House, at 6 o'clock p. m., took recess to 9:30 o'clock a. m., tomorrow.

#### APPENDIX

#### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Municipal and Private Corporations: Senate Bill No. 566.

Claims and Accounts: House Bill No. 948.

Criminal Jurisprudence: Senate Bill No. 504.

Game and Fisheries: House Bill No. 947.

Congressional and Legislative Districts: House Bill No. 953.

State Affairs: Senate Bills Nos. 239 and 338.

Judicial Districts: House Bills Nos. 951 and 952.

The Committee on Judiciary filed an adverse report, with a minority favorable report, on Senate Bill No. 28.

#### REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,  
Austin, Texas, May 25, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 241, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State of Texas, and authorizing payment of said miscellaneous items on taking effect of this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Acting Chairman.

Committee Room,  
Austin, Texas, May 25, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 132, A bill to be entitled "An Act providing that all goods, wares, and merchandise manufactured, produced, or mined, wholly or in part, by convicts or prisoners (except convicts or prisoners on parole, probation, or furlough), in any penal institution outside of the State of Texas, and transported into the State of Texas, and remaining therein for use, consumption, sale, or storage, shall upon arrival and delivery in the State of Texas, be subject to the operation and effect of the laws of the State of Texas to the same extent and in the same manner as though such goods, wares, and merchandise had been manufac-

tured, produced, or mined in the State of Texas, and shall not be exempt therefrom by reason of being introduced in the original package or otherwise; and providing when this Act becomes effective, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Acting Chairman.

Committee Room,  
Austin, Texas, May 24, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 363, A bill to be entitled "An Act making appropriations to pay miscellaneous claims, and authorizing payment of said miscellaneous items on taking effect of this Act; and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Acting Chairman.

Committee Room,  
Austin, Texas, May 24, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 919, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Fund, authorizing the payment of certain sums out of the Game, Fish, and Oyster Department, and authorizing payment of said miscellaneous claims on taking effect of this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Acting Chairman.

Committee Room,  
Austin, Texas, May 25, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 942, A bill to be entitled "An Act repealing Chapter 139, House Bill No. 458, as enacted by the Regular Session of the Thirty-sixth Legislature, as shown on page 256, et seq., of the Session Acts, which created the Eighty-eighth Judicial District Court; providing for the effective date of this Act; validating and con-

tinuing all causes, processes, writs, bonds, and recognizances, and making them pending, answerable, and returnable, and valid in the Ninety-first Judicial District Court; and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, May 25, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 951, A bill to be entitled "An Act amending Section or Subdivision 102, of Article 199, of the Revised Civil Statutes of Texas of 1925, and changing the times of holding the terms of court of the District Court of the One Hundred and Second Judicial District of Texas; and changing the length of the terms of the district court in the counties in the said Judicial District; enacting necessary provisions with reference to processes, writs, bonds, recognizances, and with reference to grand and petit jurors made necessary by the changes made by this Act, and validating and legalizing the same; providing that this Act shall take effect September 1, 1933, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, May 25, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 468, A bill to be entitled "An Act regulating the size of shrimp and fish to be taken and sold from the salt waters of this State; providing a closed season on salt-water terrapin; making it unlawful to take or sell female crabs with eggs attached; providing it shall be unlawful to use seines or nets in or on any of the tidal waters of this State where said nets are prohibited from being used in taking fish or shrimp, and fixing the size of mesh of seines or nets to be used in such waters where they are not prohibited; providing penalties for violation of this Act; providing that the title to oyster shells shall remain in the State, fixing a minimum

price for which they may be sold, and specifying the receipts from sale of oyster shells shall be deposited to the credit of the Special Game Fund; repealing all laws in conflict herewith, and especially Articles 929, 930, 937, 937-a, 938, 941, 945, 950, and 952-1-3, of the Penal Code of the State of Texas; providing if any part of this Act is declared unconstitutional or invalid, it shall not affect the validity of the remainder of the Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, May 25, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 936, A bill to be entitled "An Act making it unlawful to take, sell, or barter, or to offer to sell or barter, any minnows from the fresh waters of Panola and Rusk Counties; providing a penalty for the violation of this Act; repealing all laws and parts of laws in conflict, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, May 25, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 952, A bill to be entitled "An Act amending Section or Subdivision 5, of Article 199, of the Revised Civil Statutes of 1925, and changing the times of holding the terms of court of the District Court of the Fifth Judicial District of Texas; and changing the length of the terms of the district court in the counties in said Judicial District; enacting necessary provisions with reference to processes, writs, bonds, recognizances, and with reference to grand and petit jurors made necessary by this Act, and validating and legalizing the same; providing that this Act shall take effect September 1, 1933, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,

Austin, Texas, May 25, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 896, A bill to be entitled "An Act amending Article 7005, of the Revised Civil Statutes of Texas, as amended by Acts of 1933, Forty-third Legislature, House Bill No. 253, including the Counties of Bailey, Garza, Jim Hogg, Matagorda, and Parmer in the list of counties exempt from the provisions of Title 121, and all laws regulating the inspection of hides and animals, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,

Austin, Texas, May 25, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 941, A bill to be entitled "An Act to amend Chapter 35, of the Acts of the Third Called Session of the Forty-second Legislature, the same being an Act to conserve fish in Angelina, Attoyac, Sabine, and Neches Rivers and their tributaries in certain counties by permitting the use of nets of a certain size in certain counties, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,

Austin, Texas, May 25, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 931, A bill to be entitled "An Act to abolish the Eighty-ninth Judicial District of Wichita County, Texas, and the transfer of causes on the dockets of this Court to other district courts now established in said County, so as to expedite the trial of causes; fixing the terms of court in the Thirtieth Judicial District; fixing the effective date of this Act, and fixing the terms of court in the Seventy-eighth Judicial District; providing that all process issued out

of the Seventy-eighth and Thirtieth District before the effective date hereof shall be returnable to the terms of said Court fixed by this Act; providing all process heretofore returned in said Districts shall be as valid as if no change in time of holding court had been made,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

#### REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,  
Austin, Texas, May 24, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 599, "An Act prohibiting the taking or possession of any wild fox or the pelt thereof in Wood County for a period of five (5) years after the passage of this Act; providing that it shall be lawful to take other fur-bearing animals during the open season by trap or other device or with dogs in Wood County; providing a penalty for violation of this Act; repealing all laws or parts of laws in conflict with this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, May 24, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 929, "An Act authorizing Dallas County Arcadia Fresh Water Supply District No. 1 to incur indebtedness evidenced by contract, agreement, notes, or warrants, and to borrow money from Reconstruction Finance Corporation, for any purpose incident to its powers and functions, including the construction of repairs, replacements, and extensions to its water system, and to pay off from, and to pledge for, the payment thereof any part of its income or revenues, and to mortgage its properties and facilities; providing for an election to authorize the incurring of indebtedness and validating any election heretofore held in compliance

with the provisions of this Act; repealing all laws or parts of laws in conflict herewith only so far as the same affect any powers herein granted, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, May 25, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 87, Permitting C. W. Franks of Pleasanton, Atascosa County, Texas, to sue the State,

Has carefully compared same, and finds it correctly enrolled.

GOOD, Acting Chairman.

Committee Room,  
Austin, Texas, May 25, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 100, Instructing the Enrolling Clerk of the Senate to correct Senate Bill No. 262,

Has carefully compared same, and finds it correctly enrolled.

GOOD, Acting Chairman.

Committee Room,  
Austin, Texas, May 25, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 99, Requesting the Adjutant General of this State to select two special Rangers to represent the State at the World's Fair,

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, May 25, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 303, "An Act to regulate the operation of corporations organized and incorporated under a pre-existing law in this State without capital stock and not for profit, which law has been amended, or repealed,



or re-enacted, and which were operating and carrying on in this State immediately prior to January 1, 1933, the State-wide business of mutually protecting or insuring the lives of their members by assessments made upon their members; and revoking, repealing, and cancelling the charters of such corporations failing to comply with this Act and forever prohibiting said corporations from doing business in this State and providing for their liquidation; and revoking, repealing, and cancelling the charters of all mutual relief or benefit associations exempt from the insurance laws of this State under the provisions of Article 2971-a, Revised Statutes of 1879, and Articles 3096 and 3096-w, of the Revised Statutes of 1895, failing to comply with the terms of this Act, and forever prohibiting said associations from doing business in this State, and providing for the liquidation of same; and excepting certain insurance companies and associations from the provisions of this Act, and providing that no other insurance laws, unless expressly mentioned, shall apply to the corporations operating under this Act; and providing penalties for the violations hereof; and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, May 25, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 623, "An Act declaring it to be the policy of the State to provide for the standardization of citrus fruits as a protection to grower, shipper, carrier, receiver, and consumer; placing the jurisdiction of grades and classifications thereof under the direction of the Commissioner of Agriculture of the State of Texas; directing and empowering the Commissioner of Agriculture to establish regulations and grades of citrus fruits; providing for the publication of such rules and regulations and the appeal therefrom; providing that the Commissioner and his agents, inspectors, and employes shall be prohibited from engaging in trade in citrus fruits; providing for the mandatory grade of citrus fruits;

providing for the notification to the Commissioner or his agents, inspectors, or employes as to intent of shipment of citrus fruits; providing that it shall be unlawful to ship any citrus fruits affected by this Act unless proper inspection has been made; providing for the issuance of certificates of inspection, and declaring such certificates to be prima facie evidence of the true grade of the citrus fruits at the time of inspection; regulating the re-use of citrus containers; providing fees to be charged for inspection; providing for the establishment of the Citrus Grading Fund into which such fees are to be deposited; defining 'deceptive pack,' and providing that deceptive pack shall be unlawful; excluding from the provisions of this Act citrus fruits to be graded, packed, stored, or converted into by-products within the area affected; providing for the proper labeling of citrus fruits coming within the provisions of this Act, and for the registration of grades of citrus fruits; providing the responsibility of carriers under this Act; designating commodities affected by this Act; providing for the weighing of all citrus fruits sold by weight prior to packing by a public weigher; providing penalties for violations of this Act; providing for the validity of the remainder of this Act if any portion hereof be declared unconstitutional; and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, May 25, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 70, "An Act amending Article 904, Penal Code, 1925, providing for a resident hunting license and a non-resident hunting license, and who is required to obtain same, and excepting citizens of this State under the age of seventeen (17) years, and any person of this State when hunting squirrels or rabbits; fixing the fee to be paid for such license and the fee to be retained by the officer issuing such licenses; providing a resident angler's license, a non-resident angler's license, and a non-resident angler's vacation license, and who is required to obtain

same; fixing the fees to be paid for such licenses and the fees to be retained by the officer issuing same; providing suitable penalties for violation of this Act; providing for remittance of license fees and fines to the Game, Fish, and Oyster Commission for deposit in the State Treasury to the credit of the Special Game Fund; providing for the transfer of balances on hand in certain funds to the Special Game Fund; and providing for the use and appropriation of the Special Game Fund to the Game, Fish, and Oyster Commission for the purposes provided by law; repealing all conflicting laws; providing that if any of the sections, clauses, or any provisions of this Act, or of any other Act referred to by this Act shall be held unconstitutional, or otherwise invalid, or unenforceable, such holding shall not affect this Act or the parts of this Act not so held to be unconstitutional or invalid; and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, May 25, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 361, "An Act to amend Section 13, of Chapter 280, of the General Laws of the Forty-first Legislature of Texas, Regular Session, relating to water control and improvement districts. This Act will in nowise change the provisions of said Section 13, but does propose to insert therein, immediately after Subdivision 2 thereof, a paragraph, to be Subdivision 3, of said Section, and to provide that: In case such a district has not completed its works in accordance with its plan for improvements; has not money from other sources adequate to complete its works as planned, but has acquired property or lands found not to be reasonably required to carry out the plans, the proceeds of the sale of such property or land may be applied to the completion of the works contemplated by the district's plans for improvements. Also declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, May 24, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 459, "An Act to amend Acts 1929, Forty-first Legislature, Second Called Session, page 172, Chapter 88, Section 13, relating to the issuance of license number plates; providing that said plates shall be manufactured and produced in the State Penitentiary at Huntsville, Texas; providing the State Penitentiary shall also manufacture steel or metal road signs; providing, at the discretion of the Highway Department, the State Penitentiary may make road signs of wooden material, and authorizing the State Board of Control on proper requisition from the State Highway Department to order the designated quantity of license plates and road signs from the State Penitentiary and to determine the price of same,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

## SIXTY-NINTH DAY

(Continued)

(Friday, May 26, 1933)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Stevenson.

### AUTHORIZING CERTAIN CORRECTION IN HOUSE BILL NO. 911

Mrs. Hughes offered the following resolution:

H. C. R. No. 103, Authorizing certain correction in House Bill No. 911.

Whereas, House Bill No. 911 has passed the House and Senate; and

Whereas, The penalty provision was omitted from the caption of said bill; therefore, be it

Resolved by the House, the Senate concurring, That the Enrolling Clerk of the House be directed to amend the caption of said bill so as to conform to the body of the bill.

The resolution was read second time, and was adopted.